







STATEMENT OF INFORMATION SUBMITTED  
ON BEHALF OF PRESIDENT NIXON

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HEARINGS

BEFORE THE

COMMITTEE ON THE JUDICIARY

HOUSE OF REPRESENTATIVES

NINETY-THIRD CONGRESS

SECOND SESSION

PURSUANT TO

H. Res. 803

A RESOLUTION AUTHORIZING AND DIRECTING THE COMMITTEE  
ON THE JUDICIARY TO INVESTIGATE WHETHER SUFFICIENT  
GROUNDS EXIST FOR THE HOUSE OF REPRESENTATIVES TO  
EXERCISE ITS CONSTITUTIONAL POWER TO IMPEACH

RICHARD M. NIXON

PRESIDENT OF THE UNITED STATES OF AMERICA

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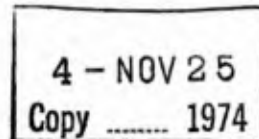
Book I

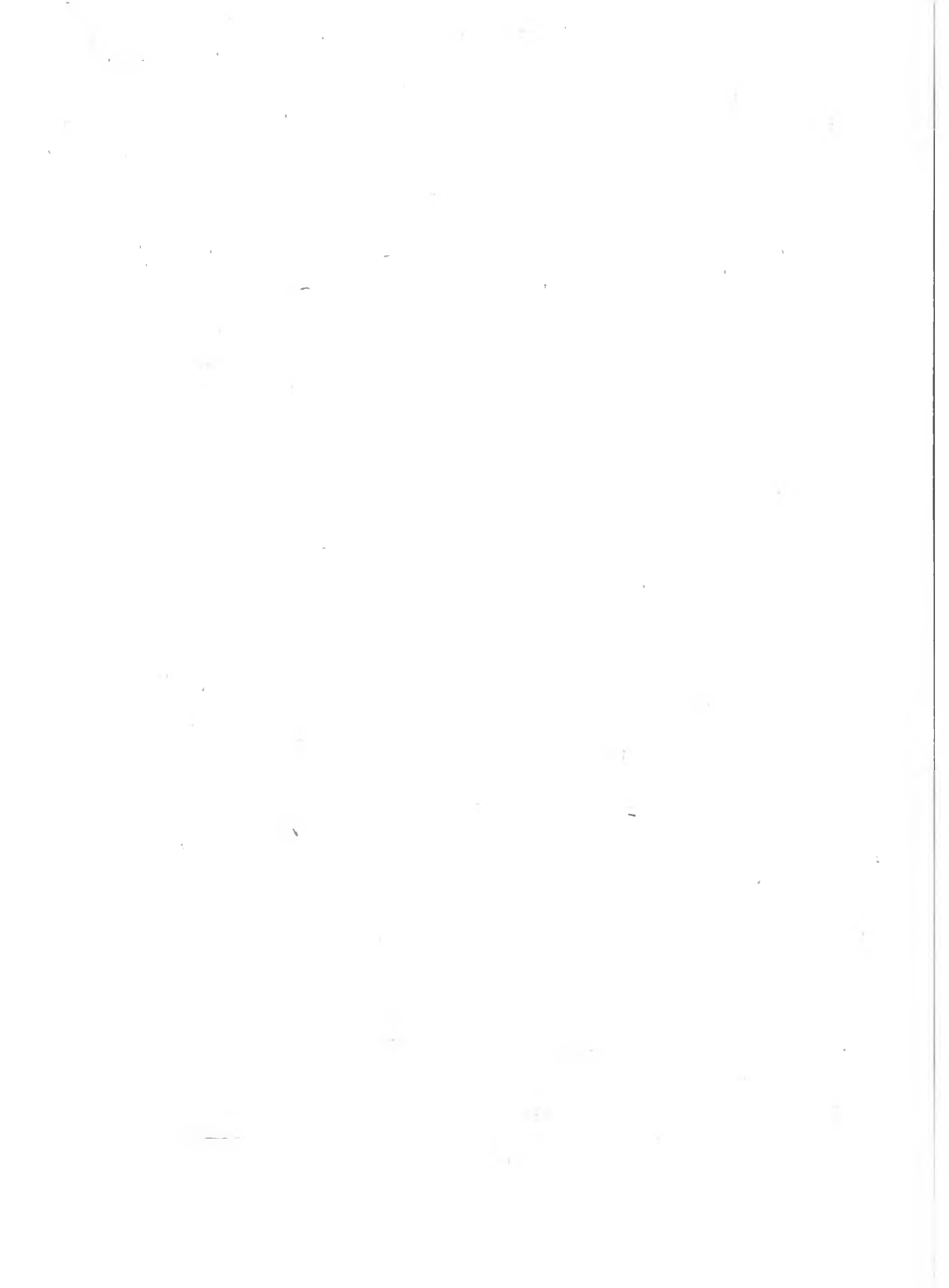
EVENTS FOLLOWING  
THE WATERGATE BREAK-IN

June 19, 1972-March 1, 1974



MAY-JUNE 1974







U.S. Congress. House. Committee on the Judiciary.

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Book I

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MAY-JUNE 1974

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5111 26 Nov 74

FOREWARD

By Hon. Peter W. Rodino, Jr., Chairman  
Committee on the Judiciary

On February 6, 1974, the House of Representatives adopted by a vote of 410-4 the following House Resolution 803:

RESOLVED, That the Committee on the Judiciary acting as a whole or by any subcommittee thereof appointed by the Chairman for the purposes hereof and in accordance with the Rules of the Committee, is authorized and directed to investigate fully and completely whether sufficient grounds exist for the House of Representatives to exercise its constitutional power to impeach Richard M. Nixon, President of the United States of America. The committee shall report to the House of Representatives such resolutions, articles of impeachment, or other recommendations as it deems proper.

On May 9, 1974, as Chairman of the Committee on the Judiciary, I convened the Committee for hearings to review the results of the Impeachment Inquiry staff's investigation. The hearings were convened pursuant to the Committee's Impeachment Inquiry Procedures adopted on May 2, 1974.

These Procedures provided that President Nixon should be accorded the opportunity to have his counsel present throughout the hearings and to receive a copy of the statement of information and related documents and other evidentiary material at the time that those materials are furnished to the members.


Mr. James D. St. Clair, Special Counsel to the President, was present throughout the initial presentation by the Impeachment Inquiry staff. Following the completion of the initial presentation the Committee resolved, in accordance with its Procedures, to invite the President's counsel to respond in writing to the Committee's initial evidentiary presentation. The Committee decided that the President's response should be in the manner of the Inquiry staff's initial presentation before the Committee, in accordance with Rule A of the Committee's Impeachment Inquiry Procedures, and should consist of information and evidentiary material, other than the testimony of witnesses, believed by the President's counsel to be pertinent to the inquiry. Counsel for the President was likewise afforded the opportunity to supplement its written response with an oral presentation to the Committee.

President Nixon's response was presented to the Committee on June 27 and June 28.

One notebook was furnished to the members of the Committee relating to Watergate and its aftermath. In this notebook a statement of information relating to a particular phase of the investigation was immediately followed by supporting evidentiary material which included copies of documents and testimony (much already on the public record) and transcripts of Presidential conversations.

The Committee on the Judiciary is working to follow faithfully its mandate to investigate fully and completely "whether or not sufficient grounds exist" to recommend that the House exercise its constitutional power of impeachment.

Consistent with this mandate the Committee voted to make public the President's response in the same form and manner as the Inquiry staff's initial presentation.

A handwritten signature in dark ink, appearing to read "Peter W. Rodino, Jr.", is positioned to the right of the typed text.

July, 1974



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### INTRODUCTORY NOTE

The material contained in this volume is presented in two sections. Section 1 contains a statement of information footnoted with citations to evidentiary material. Section 2 contains the same statement of information followed by the supporting material.

Each page of supporting evidence is labeled with the footnote number and a description of the document or the name of the witness testifying. Copies of entire pages of documents and testimony are included, with brackets around the portions pertaining to the statement of information.

In the citation of sources, "SSC" has been used as an abbreviation for the Senate Select Committee on Presidential Campaign Activities.

34. On March 1, 1974, a federal grand jury returned an indictment against seven individuals charging all defendants with one count of conspiracy in violation of Title 18 U.S.C. Sec. 371 and charging some of the defendants with additional charges of perjury, making false declarations to a grand jury or court, making false statements to agents of the FBI and obstruction of justice.

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**STATEMENT OF INFORMATION  
SUBMITTED ON BEHALF  
OF THE PRESIDENT**

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**EVENTS FOLLOWING  
THE WATERGATE BREAK-IN  
June 19, 1972 -- March 1, 1974**



1. On Monday, June 19, 1972, two days after the break-in of the Democratic National Committee Headquarters, Dean contacted Liddy and Liddy told Dean the men caught in the Democratic National Committee Headquarters were Liddy's men and that Magruder had pushed him to do it. Dean asked Liddy if anyone from the White House was involved and Liddy told Dean no.

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fensive and stated that he was merely on his payroll as a consultant because Ehrlichman had so requested. He asked me to determine if Hunt was still on his payroll and I said I would check. Colson also expressed concern over the contents of Hunt's safe. Several weeks later—probably 4 or 5—I learned from Paul O'Brien, who was representing the reelection committee, that he had learned from Mr. Hunt's attorney, Mr. William Bittman, that Hunt and Colson spoke on the telephone over the weekend of June 17-18, and that Hunt had told Colson to get the materials out of his—Hunt's—office safe.

Mr. Hugh Sloan called me to tell me he was worried. At that time I knew of no reason why Mr. Sloan should be worried so I told him not to worry. He told me that he would like to meet with me and I told him that I was trying to find out what had happened and requested we meet in a few days. I do not recall the precise date we did meet.

I next contacted Liddy and asked him to meet with me. He said he would come to my office. As he came into the office I was on my way out. I suggested we take a walk. It was shortly before noon and we walked down 17th Street toward the Corcoran Gallery.

I will try to reconstruct the conversation to the best of my memory. While I cannot recall every detail, I do indeed recall the major items we discussed.

Mr. Liddy told me that the men who had been arrested in the DNC were his men and he expressed concern about them. I asked him why he had men in the DNC and he told me that Magruder had pushed him into doing it. He told me that he had not wanted to do it, but Magruder had complained about the fact that they were not getting good information from a bug they had placed in the DNC sometime earlier. He then explained something about the steel structure of the Watergate Office Building that was inhibiting transmission of the bug and that they had gone into the building to correct this problem. He said that he had reported to Magruder that during the earlier entry of the DNC offices they had seen documents—which I believe he told me were either Government documents or classified documents—and Magruder had told him to make copies of those documents.

Liddy was very apologetic for the fact that they had been caught and that Mr. McCord was involved. He told me that he had used Mr. McCord only because Magruder had cut his budget so badly. I asked him why one of the men had a check from Mr. Howard Hunt and he told me that these men were friends of Hunt and Hunt had put him in touch with them. I do not recall Liddy discussing any further involvement of Hunt, other than Hunt's putting him in touch with the Cubans. I asked him if anyone from the White House was involved and he told me no.

As the conversation ended he again expressed his apology and his concern about the men in jail. I told him I couldn't help and he said he understood. He also told me that he was a soldier and would never talk. He said if anyone wished to shoot him on the street, he was ready. As we parted I said I would be unable to discuss this with him further. He said he understood and I returned to my office.

After returning to my office I arranged a meeting with Ehrlichman in his office for mid-afternoon. Gordon Strachan came to my office shortly after I had met with Liddy. Strachan told me that he had been

2. John Dean testified that on June 18, 1972, one day after the break-in of the Democratic National Committee Headquarters, "the cover-up was already in effect, in being." Dean testified he was in on the cover-up from the very beginning. Dean concurred with Senator Gurney that the cover-up "grew like Topsy, and Dean was a part of it." When questioned if he advised the President of what was going on, Dean responded that the first time he ever talked to the President was September 15, 1972, some three months later.

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Would you tell how you inherited the coverup?

Mr. DEAN. I didn't hear the Senator. Inherited?

Senator GURNEY. You said yesterday in response to questioning from Mr. Dash, you said that you inherited the coverup of Watergate.

Mr. DEAN. I had heard or inherited?

Senator GURNEY. I understand inherited.

Mr. DEAN. That is correct.

When I came back to the office on the 18th and talked to Mr. Strachan, I realized that the coverup was already in effect, in being, and I realized that when Mr. Strachan told me of the documents that he had destroyed and Mr. Haldeman's instruction, that there certainly wasn't going to be a revelation of the White House involvement in the matter. I didn't at that point in time know the potentials of the White House involvement.

Senator GURNEY. Was not one of the first meetings of the coverup held in John Mitchell's apartment on the 19th of June?

Mr. DEAN. Senator, I would say that the day of, to my knowledge, the day of the 19th at the White House was a very busy day. That the calls I received from Mr. Ehrlichman, from Mr. Colson, the meetings I had with Mr. Ehrlichman and then again later with Mr. Colson about the safe were long before I went to the meeting at Mr. Mitchell's apartment, which I do not recall was on the 19th or 20th. I do recall a meeting in Mr. Mitchell's office, but I do not recall specifically which day it was. I recall arriving late at the meeting, and I cannot recall with any specificity any of the discussions at the meeting.

Senator GURNEY. Well, what you are saying is then that these several phone calls you had with all of these people really had to do with at least the beginnings of the coverup, is that right?

Mr. DEAN. That is correct.

Senator GURNEY. Well, you were in on it from the beginning, were you not?

Mr. DEAN. Yes, sir.

Senator GURNEY. You really did not inherit anything. You were in on the sort of hatching of it, were you not?

Mr. DEAN. Senator, I might explain that what often happened in my relationship with my superiors at the White House, and I think I alluded to this yesterday, is that others would set the policy, for example, with the *Calley* case or the Lithuanian defector, how to deal with it, what was to be done.

Senator GURNEY. Who set the policy on the coverup?

Mr. DEAN. I would say the policy was just—I do not think it was a policy set. There was just no alternative at that point in time.

Senator GURNEY. It sort of grew like Topsy, and you were a part of it, is that not right?

Mr. DEAN. That is correct.

Senator GURNEY. Now, since this thing started out with such a flurry and a spate of phone calls and meetings between everybody, did you advise the President of what was going on?

Mr. DEAN. Senator, the first time I ever talked to the President was on September 15. There was one occasion that I recall before September 15, which was in late August, to the best of my recollection, and that certainly was not an occasion to talk to the President about anything because his former law partners were in the office, Mrs. Nixon was in the office, there were several notaries or one notary there, some



Mr. DEAN. Well, you would have to go back into the time sequence again. There was a request for any and all available cash, far before they started speaking of the \$350,000 cash fund, when Mr. Kalmbach was collecting the cash. Mr. Stans had some money that was used. They were looking anywhere they could look to find any available cash. It was at this point, I knew that I had the \$15,200 in my safe and I decided at that time that I was not going to let that money be used for that purpose, because I did not want to become further involved in that particular aspect of the coverup.

Mr. DASH. And you made that decision despite the fact that you had been a key figure in getting Mr. Kalmbach involved in the original payoff?

Mr. DEAN. That is correct.

Mr. DASH. Now, in your statement, you have described a number of meetings and activities occurring immediately after the arrest of the CRP burglars in the Democratic National Committee headquarters in the Watergate on June 17, 1972, and continuing for several months thereafter, involving such persons as Mr. Haldeman, Mr. Ehrlichman, Mr. Colson, Mr. Mardian, Mr. Mitchell, Mr. LaRue, Mr. Magruder, yourself, and others.

Isn't it your testimony that this flurry of activity represented a massive coverup operation to prevent the prosecutors, the FBI, and the public from learning of the involvement of high White House or CRP officials, either in the Watergate break-in or embarrassing earlier illegal activities of a similar nature such as the Ellsberg break-in?

Mr. DEAN. That is correct, Mr. Dash.

Mr. DASH. And did not this coverup require a number of strategies such as perjury and subordination of perjury of Magruder, Porter, and others, and the undermining of the judicial process and payoffs to indicted defendants to maintain their silence, thereby limiting the FBI inquiry so they would not stumble on other illegal intelligence activities of the White House?

Mr. DEAN. That is correct.

Mr. DASH. And is it not true that you played a role in all of these coverup activities?

Mr. DEAN. That is correct.

Mr. DASH. Did you do these things on your own initiative, Mr. Dean, or at the direction of anybody else?

Mr. DEAN. I would have to say that to describe it, I inherited a situation. The coverup was in operation when I returned to my office on Monday, the ninth, and it just became the instant way of life at that point in time and I participated in that and engaged in these activities along with the others.

I was taking instructions—

Mr. DASH. From whom were you taking instructions?

Mr. DEAN. I was taking instructions from Mr. Haldeman and Mr. Ehrlichman, I was taking instructions and suggestions from Mr. Mitchell and Mr. Mardian.

I was a conveyor of messages back and forth between each group and at times. I was making suggestions myself.

Mr. DASH. Mr. Dean, I don't think the record is clear from the statement. You held an impressive title. Counsel to the President, and I understand had quite a big office. But could you tell us just what in

2. John Dean testified that on June 18, 1972, one day after the break-in of the Democratic National Committee Headquarters, "the cover-up was already in effect, in being." Dean testified he was in on the cover-up from the very beginning. Dean concurred with Senator Gurney that the cover-up "grew like Topsy, and Dean was a part of it." When questioned if he advised the President of what was going on, Dean responded that the first time he ever talked to the President was September 15, 1972, some three months later.

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3. Dean did not meet with the President until approximately three months after the Democratic National Committee Headquarters break-in. The allegation that Dean informed the President of an illegal cover-up on September 15, 1972, is based exclusively on the testimony of Dean. In testimony before the Senate Select Committee, Dean stated he was "certain after the September fifteenth meeting that the President was fully aware of the cover-up." However, in answering questions of Senator Baker, he modified this by agreeing that it was an "inference" of his. Later Dean admitted he had no personal knowledge that the President knew on September fifteenth about a cover-up of Watergate.

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1435

Senator INOUE. Why, sir?

Mr. DEAN. I thought they were very incriminating to the President of the United States.

Senator INOUE. Mr. Chairman, this is not part of the questioning, but could you advise this committee what sort of information you received?

Mr. DEAN. Well, I have recalled most of it in my testimony regarding the conversation on clemency for Mr. Hunt, the million dollar conversation, when the President told me that it would be no problem to raise \$1 million on the 13th. I did not think documents like this should be around the White House, because the White House had a similar problem as far as information getting out.

Senator INOUE. Did you discuss this September 15 meeting with anyone at that time or at any time since?

Mr. DEAN. I believe when I came out of the meeting, I told Mr. Fielding of my office that I had spent about 30 or 40 minutes with the President and Mr. Fielding did not have full knowledge of my activities at this time. But I told him that fact that the meeting had occurred and that the President seemed very pleased with the job that I had been doing thus far. I think Mr. Fielding probably had a general awareness about the specifics of the fact that I was involved in assisting with the coverup.

Senator INOUE. You have indicated in your testimony that you were certain after the September 15 meeting that the President was fully aware of the coverup, did you not?

Mr. DEAN. Yes, sir.

Senator INOUE. And you further testified that you believed that you had on your spurs in handling the coverup by February 27, when you were told by the President that you would report to him directly. Is that not correct?

Mr. DEAN. I do not believe I used the word "my spurs." I think that was another characterization. I said I thought I had earned my stripes.

Senator INOUE. If that was the case, why did you feel it necessary on February 27 to tell the President that you had been participating in a coverup and, therefore, might be chargeable with obstruction of justice?

Mr. DEAN. Because on the preceding day, he had indicated to me that Mr. Haldeman and Mr. Ehrlichman were principals and I was wrestling with what he meant by that. I wanted him to know that I felt also that I was a principal. So I wanted him to be able to assess whether I could be objective in reporting directly to him on the matter.

Senator INOUE. If the President was aware on September 15 of the coverup, was he not aware that you were implicated also?

Mr. DEAN. I would think so, but I did not understand his remark at the time.

Senator INOUE. Then, why was it necessary on February 27 to advise him that you were guilty of obstruction of justice?

Mr. DEAN. Because as I said, Senator, when he mentioned the fact that Mr. Ehrlichman and Mr. Haldeman were principals, I did not understand what he meant. I wanted to make it clear to him that I felt I also had legal problems and I had been involved in obstruction of justice. Any time I was in the oval office, I did not want to withhold anything from the President at any time and felt that any informa-

Mr. DEAN. The call came to my secretary, as I recall, and she said, "You have been asked to come to the oval office" so I do not recall who made the call but it was one of the secretaries who conveyed those types of messages.

Senator BAKER. All right, go ahead, sir.

Mr. DEAN. When I entered the office I can recall that—you have been in the office, you know the way there are two chairs at the side of the President's desk.

Senator BAKER. You are speaking of the oval office?

Mr. DEAN. Of the oval office. As you face the President on the left-hand chair Mr. Haldeman was sitting and they had obviously been immersed in a conversation and the President asked me to come in and I stood there for a moment.

He said, "Sit down" and I sat on a chair on the other side.

Senator BAKER. You sat in the right-hand chair?

Mr. DEAN. I sat on the right-hand chair.

Senator BAKER. That is the one he usually says no to, but go ahead.

Mr. DEAN. I was unaware of that. [Laughter.]

Senator BAKER. Go ahead, Mr. Dean.

Mr. DEAN. As I tried to describe in my statement, the reception was very warm and very cordial. There was some preliminary pleasantries, and then the next thing that I recall the President very clearly saying to me is that he had been told by Mr. Haldeman that he had been kept posted or made aware of my handling of the various aspects of the Watergate case and the fact that the case, you know, the indictments had now been handed down, no one in the White House had been indicted, they had stopped at Liddy.

Senator BAKER. Stop, stop, stop just for one second. Let's examine those particular words just for a second.

That no one in the White House had been indicted. Is that as near to the exact language—I don't know so I am not laying a trap for you, I just want to know.

Mr. DEAN. Yes, there was a reference to the fact the indictments had been handed down and it was quite obvious that no one in the White House had been indicted on the indictments that had been handed down.

Senator BAKER. Did he say that, though?

Mr. DEAN. Did he say that no one in the White House had been handed down? I can't recall it. I can recall a reference to the fact that the indictments were now handed down and he was aware of that and the status of the indictments and expressed what to me was a pleasure to the fact that it had stopped at Mr. Liddy.

Senator BAKER. Tell me what he said.

Mr. DEAN. Well, as I say, he told me I had done a good job—

Senator BAKER. No, let's talk about the pleasure. He expressed pleasure the indictments had stopped at Mr. Liddy.

Can you just for the purposes of our information tell me the language that he used?

Mr. DEAN. Senator, let me make it very clear the pleasure that it had stopped there is an inference of mine based on, as I told Senator Gurney yesterday, the impression I had as a result of the, of his, complimenting me.

Senator BAKER. But in an effort to summarize it and, believe me, I am not trying to distort the meaning of your testimony by summary, but, in effect, you drew inferences from the totality of this conversation and the circumstances and relationships as you knew it, you drew inferences from that that led you to believe that on September 15 the President knew something about at least the efforts to counter the Watergate and possibly, in fact, about Watergate itself.

Mr. DEAN. That is correct.

Senator BAKER. But there is no direct statement about Watergate, CRP involvement, the President's knowledge of it, or the coverup—there is no category 1 information about that?

Mr. DEAN. Other than as I have recited and I have chosen not to place interpretations on these, Senator.

Senator BAKER. Thank you, Mr. Dean.

I think that that information is very useful, then. You understand, Mr. Dean, that in the course of things, we are going to explain further the content of that meeting and the perceptions that the other parties had of that meeting.

Mr. DEAN. I understand.

Senator BAKER. As you know, Mr. Haldeman will be a witness before this committee. The only other person present was the President. I am not prepared to say at this point how we may be able to gain access to the President's knowledge and perception of that meeting. But in a three-way meeting, I think it is important to this committee that we have all the information we can get. So the information you have just given me in rather good detail will now be structured alongside with the rest of the record to test against the testimony of Mr. Haldeman and hopefully against statements by the President, in whatever manner that can be arranged.

Now, what is the time of your next meeting with the President?

Mr. DEAN. On this subject?

Senator BAKER. Yes, sir.

Mr. DEAN. There were certain events that led up to my next meeting and they were the events which occurred at La Costa, in which I, or following La Costa, in which I was requested by Mr. Haldeman when I returned from Florida—I had gone from California to Florida and had spent a week or so, just about a week, in Florida and when I returned on the 19th or 20th, Mr. Haldeman asked me to prepare an agenda. I think that that agenda is a rather important document along the line of questioning you are asking.

Senator BAKER. I would like to go into that.

Before you do, let me reiterate, the focus of my inquiry is on what did the President know—

Mr. DEAN. As I say, this agenda went directly to the President.

Senator BAKER [continuing]. And when did he know it.

Mr. DEAN. That is correct.

Senator BAKER. So as you go into your testimony and as you refer to the several documents that I believe you have before you, try to keep in mind that I am not at this moment talking about other matters and details. I am not talking about Ellsberg at this point, or the enemy list. I am talking about what the President knew. So tell me what

4. On May 22, 1973, the President stated that the bugging, and burglary of the Democratic National Committee was a complete surprise and that he had no prior knowledge that persons associated with his campaign had planned such activities. On March 21, 1973, John Dean told the President that no one at the White House knew of the plans to break in the Democratic National Committee.

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1 / Reference to transcripts are to submission of Recorded  
Presidential Conversations of April 30, 1974.

records having been removed with the change of administrations) and which bore directly on the negotiations then in progress. Additional assignments included tracing down other national security leaks, including one that seriously compromised the U.S. negotiating position in the SALT talks.

The work of the unit tapered off around the end of 1971. The nature of its work was such that it involved matters that, from a national security standpoint, were highly sensitive then and remain so today.

These intelligence activities had no connection with the break-in of the Democratic headquarters, or the aftermath.

I considered it my responsibility to see that the Watergate investigation did not impinge adversely upon the national security area. For example, on April 18, 1973, when I learned that Mr. Hunt, a former member of the Special Investigations Unit at the White House, was to be questioned by the U.S. Attorney, I directed Assistant Attorney General Petersen to pursue every issue involving Watergate but to confine his investigation to Watergate and related matters and to stay out of national security matters. Subsequently, on April 25, 1973, Attorney General Kleindienst informed me that because the Government had clear evidence that Mr. Hunt was involved in the break-in of the office of the psychiatrist who had treated Mr. Ellsberg, he, the Attorney General, believed that despite the fact that no evidence had been obtained on Hunt's acts, a report should nevertheless be made to the court trying the Ellsberg case. I concurred, and directed that the information be transmitted to Judge Byrne immediately.

#### WATERGATE

The burglary and bugging of the Democratic National Committee headquarters came as a complete surprise to me. I had no inkling that any such illegal activities had been planned by persons associated with my campaign; if I had known, I would not have permitted it. My immediate reaction was that those guilty should be brought to justice, and, with the five burglars themselves already in custody, I assumed that they would be.

Within a few days, however, I was advised that there was a possibility of CIA involvement in some way.

It did seem to me possible that, because of the involvement of former CIA personnel, and because of some of their apparent associations, the investigation could lead to the uncovering of covert CIA operations totally unrelated to the Watergate break-in.

In addition, by this time, the name of Mr. Hunt had surfaced in connection with Watergate, and I was alerted to the fact that he had previously been a member of the Special Investigations Unit in the White House. Therefore, I was also concerned that the Watergate investigation might well lead to an inquiry into the activities of the Special Investigations Unit itself.

In this area, I felt it was important to avoid disclosure of the details of the national security matters with which the group was concerned. I knew that once the existence of the group became known, it would lead inexorably to a discussion of these matters, some of which remain, even today, highly sensitive.

I wanted justice done with regard to Watergate; but in the scale of national priorities with which I had to deal—and not at that time having any idea of the extent of political abuse which Watergate reflected—I also had to be deeply concerned with ensuring that neither the covert operations of the CIA nor the operations of the Special Investigations Unit should be compromised. Therefore, I instructed Mr. Haldeman and Mr. Ehrlichman to ensure that the investigation of the break-in not expose either an unrelated covert operation of the CIA or the activities of the White House investigations unit—and to see that this was personally coordinated between General Walters, the Deputy Director of the CIA, and Mr. Gray of the FBI. It was certainly not my intent, nor my wish, that the investigation of the Watergate break-in or of related acts be impeded in any way.

On July 6, 1972, I telephoned the Acting Director of the FBI, L. Patrick Gray, to congratulate him on his successful handling of the hijacking of a Pacific Southwest Airlines plane the previous day. During the conversation Mr. Gray discussed with me the progress of the Watergate investigation, and I asked him whether he had talked with General Walters. Mr. Gray said that he had, and that General Walters had assured him that the CIA was not involved. In the discussion, Mr. Gray suggested that the matter of Watergate might lead higher. I told him to press ahead with his investigation.

It now seems that later, through whatever complex of individual motives and possible misunderstandings, there were apparently wide-ranging efforts to limit the investigation or to conceal the possible involvement of members of the Administration and the campaign committee.

I was not aware of any such efforts at the time. Neither, until after I began my own investigation, was I aware of any fundraising for defendants convicted of the break-in at Democratic headquarters, much less authorize any such fundraising. Nor did I authorize any offer of executive clemency for any of the defendants.

In the weeks and months that followed Watergate, I asked for, and received, repeated assurances that Mr. Dean's own investigation (which included reviewing files and sitting in on FBI interviews with White House personnel) had cleared everyone then employed by the White House of involvement.

In summary, then:

(1) I had no prior knowledge of the Watergate bugging operation, or of any illegal surveillance activities for political purposes.

(2) Long prior to the 1972 campaign, I did set in motion certain internal security measures, including legal



were going to be confronted with and Liddy was charged with doing this. We had no knowledge that he was going to bug the DNC.

P The point is, that is not true?

D That's right.

P Magruder did know it was going to take place?

D Magruder gave the instructions to be back in the DNC.

P He did?

D Yes.

P You know that?

D Yes.

P I see. O.K.

D I honestly believe that no one over here knew that. I know that as God is my maker, I had no knowledge that they were going to do this.

P Bob didn't either, or wouldn't have known that either. You are not the issue involved. Had Bob known, he would be.

D Bob -- I don't believe specifically knew that they were going in there.

P I don't think so.

D I don't think he did. I think he knew that there was a capacity to do this but he was not given the specific direction.

P Did Strachan know?



5. H. R. Haldeman and John Ehrlichman testified before the Senate Select Committee that they did not believe the President had prior knowledge of the break in plans. On March 21, 1973, John Ehrlichman told the President that, on the basis of information he had, no one in the White House had been involved, had notice, had knowledge, participated nor aided or abetted in any way in the Democratic National Committee burglary.

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been involved in Watergate. I was not at all surprised to hear the President say this at the press conference since it was thoroughly consistent with everything that Dean had told me, and I, therefore, find it hard to understand why Mr. Dean now professes to have had such great surprise when he heard this statement.

#### COVERUP

In these hearings and in the general discussion of Watergate, the word "coverup" has come to have a broad and very ill-defined meaning. As John Dean said, the coverup had a broad range. Anything that might cause a problem came within the coverup.

Definition by usage has now come to connote illegal or improper activities—although some steps were taken to contain the Watergate case in several perfectly legal and proper aspects.

One, as the President has stated, was to avoid the Watergate investigation possibly going beyond the facts of the Watergate affair itself and into national security activities totally unrelated to Watergate.

Another was to avoid or at least reduce adverse political and publicity fallout from false charges, hearsay, and so on, arising from various activities in connection with Watergate, such as the Justice Department investigation, the Democratic National Committee suit, the Common Cause suit, the Patman hearings, and the Ervin committee hearings.

A third was concern for distortion or fabrication of facts in the heat of a political campaign that would unjustly condemn the innocent or prevent discovery of the guilty.

The containment effort, as I would use the term, did not contemplate or involve any acts in obstruction of justice. To the contrary, while hoping to contain the Watergate inquiry to the facts of Watergate, there was a concurrent effort to try to get the true facts of Watergate and get them out to the public. The President frequently cautioned against any coverup of Watergate or even the appearance of a coverup.

On the basis of testimony now before this committee, it appears that there also was an effort to cover up, as well as to contain. This coverup appears to have involved illegal and improper activities, such as perjury, payments to defendants for their silence, promises of Executive clemency, destruction of evidence, and other acts in an effort to conceal the truth regarding the planning and commission of crimes at the Watergate.

The critical question then becomes the determination of who committed these acts, who directed them, who was aware of them.

I committed no such acts and directed no such acts and I was aware of no such acts until March of this year, when the President intensified his personal investigation into the facts of the Watergate. I am convinced that the President had no awareness of any such acts until March of this year.

The question is asked: "How could the President not have known?" Very easily. Reverse the question. How could the President have known?

Only if he were directly involved himself or if he were told by someone who was either directly involved or had knowledge. The fact

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Mr. EHRLICHMAN. In that I think you will see that it's my conclusion that he acted in the best of faith thinking that he was simply engaged in raising money for the defense fund purposes that he has testified to.

Senator MONTORA. All right. Then how many interviews did you conduct as a result of your being commissioned by the President to go into this?

Mr. EHRLICHMAN. Well, let me refer to my list again. Ten.

Senator MONTORA. Ten?

Mr. EHRLICHMAN. Yes, sir.

Senator MONTORA. How long did it take you to conduct these interviews?

Mr. EHRLICHMAN. Well, I did this in the period between April 5 and April 14.

Senator MONTORA. The President indicated that he had also—

Mr. EHRLICHMAN. Excuse me, I am sorry, Senator, April 15, I beg your pardon because I saw Mr. Strachan at 9 o'clock on Sunday morning the 15th.

Senator MONTORA. All right.

Now, what was this statement of the President all about when he stated that on March 21 as a result of serious charges "which came to my attention, some of which were publicly reported, I began intensive new inquiries into this whole matter."

What did he mean by that?

Mr. EHRLICHMAN. Well, I think what he meant by that was the series of events starting March 21 and culminating April 17 which would have been his conversation with Mr. Dean on the 21st; the McCord letter to Judge Sirica on what, the 23d or whatever it was; his sending Mr. Dean to Camp David to write out his statement; Mr. Dean's return without the statement; his turning the investigation over, taking it from Mr. Dean, his turning the inquiry over to me; my efforts to talk to witnesses through this time; the parallel efforts, and I don't mean to in any way diminish the efforts of the investigators in the Department of Justice and in the prosecutor's office who were doing an extraordinarily effective job right at this time.

You see, when I talked to Mr. Magruder, for instance, he had already been to see the U.S. attorney and told him everything as a result of their efforts. So these were all parallel efforts going on and there was a lot of reporting. The President had his meeting with the Attorney General and Mr. Petersen on that Sunday, and they compared notes as to all of these investigations, and then this all came to a head on that following Tuesday.

Senator MONTORA. Would you then say that up until March you were convinced, and the President was convinced in the White House that there was no White House involvement?

Mr. EHRLICHMAN. Yes, sir.

Senator MONTORA. You were convinced up to that time?

Mr. EHRLICHMAN. Yes, sir, and I was saying that all across the country because I believed it.

Senator MONTORA. And you kept saying this to the President on the basis of information which you were receiving from Mr. Dean and others?

Mr. EHRLICHMAN. In the best of faith, yes, sir.

Right, right. However in terms of this, what about a solution? We are damned by the courts before Ervin even gets started.

E The only thing we can say is that we have investigated it backwards and forwards in the White House, and have been satisfied on the basis of the report we had that nobody in the White House has been involved in a burglary, nobody had notice of it, knowledge of it, participated in the planning, or aided or abetted it in any way. And it happens to be true as for that transaction.

P John, you don't think that is enough?

D No, Mr. President.

E Let's try another concomitant to that. Supposing Mitchell were to step out on that same day to say, "I have been doing some investigation at 1701 and I find -- so and so and so and so."

P Such as what?

E I don't know what he would say, but that he wanted to be some kind of a spokesman for 1701.

P What the hell does one disclose that isn't doing to blow something? I don't have any time. I am sorry. I have to leave. Well, good-bye. You meet what time tomorrow?

H I am not sure. In the morning probably.

6. John Mitchell testified before the Senate Select Committee that the President did not know of either the burglary plans or the cover-up. Richard Moore testified before the Senate Select Committee that as a result of his meetings with the President and Dean on March 20, 1973, he concluded that the President had no knowledge that anyone in the White House was involved in the Watergate affair and John Dean told him as they departed that he had never told the President.

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I know the individual, I know his reactions to things, and I have a very strong feeling that during the period of time in which I was in association with him and did talk to him on the telephone, that I just do not believe that he had that information or had that knowledge; otherwise, I think the type of conversations we had would have brought it out.

Mr. DASH. Generally, is it fair to say that much of your opinion that you express is based on your faith in the President and your knowledge of the man, rather than any specific statement the President made to you or that you made to the President?

Mr. MITCHELL. Well, I subscribe to the first two. I do have faith in the President and I do think I have knowledge of the man and I do think there were enough discussions in the area, in the general area, to the point where I think the general subject matter would have come out if the President had had knowledge.

Mr. DASH. Well, now, Mr. Mitchell, you did become aware, as you have indicated, somewhere around June 21 or 22, when you were briefed or debriefed by Mr. LaRue and Mr. Mardian about the so-called—as you described it, the White House horrors of the Liddy operation and the break-in. Did you, yourself, as the President's adviser and counselor, tell the President what you knew or what you learned?

Mr. MITCHELL. No, sir, I did not.

Mr. DASH. Why didn't you?

Mr. MITCHELL. Because I did not believe that it was appropriate for him to have that type of knowledge, because I knew the actions that he would take and it would be most detrimental to his political campaign.

Mr. DASH. Could it have been actually helpful or healthy, do you think?

Mr. MITCHELL. That was not my opinion at the particular time. He was not involved; it wasn't a question of deceiving the public as far as Richard Nixon was concerned, and it was the other people that were involved in connection with these activities, both in the White House horrors and the Watergate. I believed at that particular time, and maybe in retrospect, I was wrong, but it occurred to me that the best thing to do was just to keep the lid on through the election.

Mr. DASH. Then it is your testimony that you in fact did not say anything to the President at that time—

Mr. MITCHELL. No, sir, I did not.

Mr. DASH. So whether the President had any knowledge of it, it certainly couldn't have come from, his lack of knowledge or knowledge, from any statement that you made to him?

Mr. MITCHELL. That is correct, Mr. Dash.

Mr. DASH. Now, were you aware of the fact that actually prior to Magruder's testimony. Mr. Dean rehearsed Mr. Magruder for his testimony before the grand jury?

Mr. MITCHELL. I do not recall that. Mr. Dash, if you are talking about the testimony that took place on the—

Mr. DASH. In August.

Mr. MITCHELL. In August, the second appearance.

Mr. DASH. The second appearance.



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On March 19, I was called to meet with the President and Mr. Dean in the President's Executive Office Building office. The President reiterated his desire to get out a general statement in advance of the hearings. He asked us to be thinking about ways that this could be done. This would include or could include issuing a full statement or "White Paper"; he was also interested in our thoughts about ways to present our story to the Senate in terms of possible depositions, affidavits, or possible conferences or meetings which would give the Senate all the information it wished but which would not cut across the separation of powers. He asked Dean and me to consider ways to do this.

Now, late on March 19, 1973, or possibly on March 20—before we met later that day with the President—Mr. Dean told me that Howard Hunt was demanding that a large sum of money be given to him before his sentencing on March 23, and that he wanted the money by Wednesday, the 21st. If the payment were not made, Dean said, Hunt had threatened to say things that would be very serious for the White House. I replied that this was pure blackmail, and that Dean should turn it off and have nothing to do with it. I could not imagine, I said, that anything that Hunt could say would be as bad as entering into a blackmail arrangement. I don't recall Mr. Dean's exact words, but he expressed agreement.

This revelation was the culmination of several other guarded comments Mr. Dean had made to me in the immediately preceding days. He had said that he had been present at two meetings attended by Messrs. Mitchell, Magruder, and Liddy before the bugging arrests, during which Liddy had proposed wild schemes that had been turned down—specifically espionage, electronics surveillance, and even kidnapping. He said that the Watergate location had not been mentioned, and that he had "turned off the wild schemes." I believed then and believe today that Mr. Dean had no advance knowledge of the Watergate bugging and break-in. In addition, he said that if he ever had to testify before the grand jury, his testimony would conflict with Mr. Magruder's, and that he had heard that if Magruder faced a perjury charge he would take others with him.

Mr. Dean had also mentioned to me in these days in March that earlier activities of Messrs. Hunt and Liddy—not directly related to Watergate—could be seriously embarrassing to the administration if they ever came to light. He had also implied to me that he knew of payments being made to the defendants for litigation expenses, and Hunt's explicit blackmail demand raised serious questions in my mind as to the purpose of these payments.

This brings me to the afternoon of March 20, when Mr. Dean and I met with the President in the Oval Office. The meeting lasted about half an hour. The President again stated his hope that we could put out a full statement in advance of the hearings, and again he expressed his desire that we be forthcoming, as he put it. He made some comparisons as to our attitude and the attitude of previous administrations, and he wanted us to make sure that we were the most forthcoming of all.

As I sat through the meeting of March 20 with the President and Mr. Dean in the Oval Office, I came to the conclusion in my own mind that the President could not be aware of the things that Dean was worried about or had been hinting at to me, let alone Howard Hunt's

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blackmail demand. Indeed, as the President talked about getting the whole story out—as he had done repeatedly in the recent meetings—it seemed crystal clear to me that he knew of nothing that was inconsistent with the previously stated conclusion that the White House was uninvolved in the Watergate affair, before or after the event.

As we closed the door of the Oval Office and turned into the hall, I decided to raise the issue directly with Mr. Dean. I said that I had the feeling that the President had no knowledge of the things that were worrying Dean. I asked Dean whether he had ever told the President about them. Dean replied that he had not, and I asked whether anyone else had. Dean said he didn't think so. I said, and I use quotation marks to indicate the substance, and I think these are almost my precise words—I said, "Then the President isn't being served, he is reaching a point where he is going to have to make critical decisions and he simply has to know all the facts. I think you should go in and tell him what you know, you will feel better, it will be right for him, and it will be good for the country."

I do not recall whether Dean told me he would take action or not, but I certainly had the impression that he was receptive. In any event, the question was resolved that very evening when I received a call at home sometime after dinner and it was Mr. Dean, who said that the President had just phoned him and that he had decided that this was the moment to speak up. He said that he told the President that things had been going on that the President should know about and it was important that Dean see him alone and tell him. Dean said that the President readily agreed and told Dean to come in the following morning. I congratulated Mr. Dean and wished him well.

The next day, March 21, Mr. Dean told me that he had indeed met with the President at 10 o'clock and had talked with him for 2 hours and had in his words, "Let it all out." I said, "Did you tell him about the Howard Hunt business?" Dean replied that he had told the President everything. I asked him if the President had been surprised and he said yes. I say he said yes in terms of his response; whether yes is the exact words, but it was an affirmative statement.

Following this critical meeting on March 21, I had several subsequent meetings and telephone conversations with Mr. Dean alone, as well as several meetings with the President which Mr. Dean did not attend. I do not dispute Mr. Dean's account of the meetings between us as to any substantive point, and I have no direct knowledge of what transpired in Mr. Dean's subsequent meetings with the President. But nothing said in my meetings or conversations with Mr. Dean or my meetings with the President suggests in any way that before March 21 the President had known—or that Mr. Dean believed he had known—of any involvement of White House personnel in the bugging or the coverup. Indeed, Mr. Dean's own account that he and I agreed on the importance of persuading the President to make a prompt disclosure of all that the President had just learned is hardly compatible with a belief on Mr. Dean's part that the President himself had known the critical facts all along. In one of my talks with the President, the President said he had kept asking himself whether there had been any sign or clue which should have led him to discover the true facts earlier. I told him that I wished that I had been more skeptical and inquisitive so that I could have served the Presidency better.

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Now, are you saying that this entry is not an accurate reflection of that meeting?

Mr. MOORE. Well, some of it is reasonably accurate and some of it I can't recall.

For instance, it does refer to that suggestion about challenging the committee to its own investigation, which I stated. I think I stated in various languages, various words at various times, that the President indicated his desire to get the whole statement out about the whole thing and that we agreed. I think probably—I don't know whether Mr. Dean raised the question about waiting until after the sentencing, but there was, I recall no firm decision on that.

Mitchell's problems with the grand jury—grand jury and Vesco—I don't think there was any discussion of that. I don't know about whether Mr. Dean reported something going up there or something. I don't know. I don't recall at that meeting and I wonder whether the long and short of it was whether Mr. Dean's logs show whether Mr. Dean had another meeting with the President that day. Maybe you have something there. And I am not sure whether we got there at the same time.

Mr. LENZNER. Let me ask you this, Mr. Moore.

You did testify that when you left the Oval Office on March 20, I concluded the President could not be aware of the things that Mr. Dean was worried about. Now, did that include, for example, the threat by Mr. Hunt to blackmail the White House?

Mr. MOORE. Yes.

Mr. LENZNER. Did it also include the earlier activities of Mr. Hunt and Mr. Liddy that Mr. Dean had also indicated could be embarrassing to the White House?

Mr. MOORE. I had no laundry list in my mind. I had—except the Howard Hunt matter, but the general feeling that the man in that Oval Office, who was telling us so strongly that anything anybody knew should be disclosed as soon as possible and we should get the story out, and he had said it before, that this was utterly incompatible with his having knowledge, prior knowledge of any of these things, and that is what I said, when I left I said, "John," I pointed into that room, I said, "the President doesn't know the kind of things that you are talking about and worrying about. Have you told him," and so forth.

You have heard the story.

Mr. LENZNER. Yes, sir.

Mr. MOORE. And it was a sense that this man with this frame of mind and with a desire to tell the whole story, whatever it was, didn't know the whole story, didn't have anything of the whole story. That was my conviction.

Mr. LENZNER. And I take it including the things done. He was telling you about Hunt and Liddy's activities I think—

Mr. MOORE. The whole field of suspicion and knowledge and problem that seem to be lying there.

Mr. LENZNER. Mr. Moore, do you agree now that your understanding of the President's information and knowledge was basically incorrect? That he did, in fact, have information by that meeting on March 20 concerning Mr. Strachan and also possible involvement in Watergate



7. After the second meeting in Mitchell's office on February 4, 1972, the modified Liddy plan was turned down and Dean concluded the plan was at end. Dean later met with Haldeman and advised Haldeman that the White House should have nothing to do with any such activity. Haldeman agreed.

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I assumed the Liddy plan was dead in that it would never be approved. I recall Liddy coming into my office in late February or early March on a matter relating to the election laws. He started to tell me that he could not get his plan approved and I reminded him that I would not discuss it with him. He stopped talking about it, and we went on with our business.

I have thought back over the sequence of events and tried to determine if I in any way encouraged Mr. Liddy and his intelligence plans. I am certain of this—I did not encourage him to develop illegal techniques, because I was unaware he was developing such plans.

Between the meeting in Mitchell's office on February 4, 1972, and June 12, 1972, I had no knowledge of what had become of Liddy's proposal. I did receive a memorandum from Magruder on March 26, 1972, that indicated that Liddy was doing some investigative work for Magruder, but nothing that appeared illegal. Let me explain.

During the first week of March 1972, Larry Higby, Haldeman's assistant, called me to request for Haldeman any information that Caulfield could come up with regarding the funding of the Democratic Convention in Miami. On March 15, 1972, I forwarded a newspaper article that Caulfield had discovered on the subject. Later that day Magruder brought to me a copy of a memorandum from Liddy to Mitchell regarding an investigation Liddy had conducted—using Howard Hunt—in Florida. I called Higby and he said that Magruder had already given him a copy. I told Higby that I did not see anything illegal by the Democrats based on the information in the memorandum. I made a notation on the bottom of the memorandum from Mr. Liddy, but I did nothing further and heard nothing further from Higby on the subject. I have submitted to the committee the documents I have just referred to.

[The documents referred to were marked exhibit No. 34-14.\*]

Mr. DEAN. I shall now turn to the events following the Watergate incident of June 17, 1972, and begin by telling the committee how I first learned of the incident.

I will skip the first part here explaining how I ended up being out of the country when the decision was made in late May and returned on June 18, from the Far East.

#### FIRST KNOWLEDGE OF WATERGATE INCIDENT

In late May of 1972 the Bureau of Narcotics and Dangerous Drugs asked me to deliver a graduation address at its Training School in Manila, Philippines, on Saturday, June 17, 1972. I notified Mr. Alex Butterfield, pursuant to White House procedures for staff contemplating foreign travel, on June 7, and informed Mr. Butterfield that I planned to depart on June 14 and return on June 18 and that the trip had been cleared by the State Department, the National Security Council, and Bud Krogh (who had responsibility for the drug program on the White House Domestic Council). Mr. Butterfield also approved the trip and I departed for Manila on June 14.

\*See p. 1151.

NOTE.—Indented matter represents portions of Mr. Dean's prepared statement which were omitted or summarized in his presentation.

cratic Convention. Mr. Liddy concluded his presentation by saying that the plan would cost approximately \$1 million.

I do not recall Magruder's reaction during the presentation plan because he was seated beside me but I do recall Mitchell's reaction to the "Mission Impossible" plan. He was amazed. At one point I gave him a look of bewilderment and he winked. Knowing Mitchell, I did not think he would throw Liddy out of the office or tell him he was out of his mind, rather he did what I expected. When the presentation was completed, he took a few long puffs on his pipe and told Liddy that the plan he had developed was not quite what he had in mind and the cost was out of the question. He suggested to Liddy he go back and revise his plan, keeping in mind that he was most interested in the demonstration problem.

I remained in Mitchell's office for a brief moment after the meeting ended, as the charts were being taken off the easel and disassembled and Mitchell indicated to me that Mr. Liddy's proposal was out of the question. I joined Magruder and Liddy and as we left the office I told Liddy to destroy the charts. Mr. Liddy said that he would revise the plans and submit a new proposal. At that point I thought the plan was dead, because I doubted if Mitchell would reconsider the matter. I rode back to my office with Liddy and Magruder, but there was no further conversation of the plan.

The next time I became aware of any discussions of such plans occurred, I believe, on February 4, 1972. Magruder had scheduled another meeting in Mr. Mitchell's office on a revised intelligence plan. I arrived at the meeting very late and when I came in, Mr. Liddy was presenting a scaled down version of his earlier plan. I listened for a few minutes and decided I had to interject myself into the discussions. Mr. Mitchell, I felt, was being put on the spot. The only polite way I thought I could end the discussions was to inject that these discussions could not go on in the Office of the Attorney General of the United States and that the meeting should terminate immediately.

At this point the meeting ended. I do not know to this day who kept pushing for these plans. Whether Liddy was pushing or whether Magruder was pushing or whether someone was pushing Magruder, I do not know. I do know, in hindsight, that I should have not been as polite as I was in merely suggesting that Liddy destroy the charts after the first meeting. Rather, I should have said forget the plan completely. After I ended the second meeting, I told Liddy that I would never again discuss this matter with him. I told him that if any such plan were approved, I did not want to know. One thing was certain in my mind, while someone wanted this operation, I did not want any part of it, nor would I have any part of it.

After this second meeting in Mitchell's office, I sought a meeting with Mr. Haldeman to tell him what was occurring, but it took me several days to get to see him. I recall that Higby got me into Haldeman's office when another appointment had been canceled or postponed. I told Haldeman what had been presented by Liddy and told him that I felt it was incredible, unnecessary, and unwise. I told him that no one at the White House should have anything to do with this. I said that the reelection committee will need an ability to deal with demonstrations, it did not need bugging, mugging, prostitutes, and kidnapers. Haldeman agreed and told me I should have no further dealings on the matter.





8. Magruder reported to Strachan that a "sophisticated political intelligence gathering system" had been approved. Strachan included this item in a memo containing approximately 30 other items directed to Haldeman. Attached at tab "H" of this report were examples of the type information being developed and identified by the code name "Sedan Chair." Magruder and Reisner testified "Sedan Chair" involved a disgruntled campaign worker from the Humphrey Pennsylvania Organization who passed information to Committee to Re-Elect the President. Porter deemed this activity surreptitious but not illegal.

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that Mr. Mitchell and Mr. Dean were shocked by Liddy's plan; Mr. Magruder's staff man, Gordon Liddy, was apparently quite humiliated, and nothing was approved. In other words, if those meetings were routinely reported to Mr. Haldeman, as evidence of Mr. Magruder's administrative ability and judgment, the January and February meetings would not very likely inspire the confidence of Mr. Haldeman or the President.

Yet, Mr. Magruder testified that "as he recalled" he returned to his office after both these embarrassing meetings and routinely called Mr. Haldeman's staff assistant, me, and told me about his blunder, presumably so that I could inform Mr. Haldeman. That testimony is difficult to reconcile with good sense. Presumably, Mr. Magruder knew that Mr. Dean would report on the meetings to Mr. Haldeman—as Mr. Dean has testified he did—why would Mr. Magruder want two people reporting the same disaster to Mr. Haldeman?

It is true, however, that Mr. Magruder called me after he returned from the March 30, 1972, meeting at Key Biscayne with Mr. Mitchell and Mr. LaRue and reported on about 30 major campaign decisions. Each of these decisions was briefly described in that rather short phone conversation. During this call, he told me, and I am repeating his words rather precisely: "A sophisticated political intelligence-gathering system has been approved with a budget of 300." Unfortunately he neither gave me, nor did I ask for any further details about the subject.

Soon thereafter I wrote one of my regular "political matters" memos for Mr. Haldeman. This particular memo for early April was 8 to 10 pages long with more than a dozen tabs or attachments, but it contained only one three-line paragraph on political intelligence. That paragraph read almost verbatim as Mr. Magruder had indicated to me over the phone. I wrote in the memo to Mr. Haldeman—Again this is almost a quote:

Magruder reports that 1701 now has a sophisticated political intelligence-gathering system with a budget of 300. A sample of the type of information they are developing is attached at tab "H."

At tab "H", I enclosed a political intelligence report which had been sent to me from the committee. It was entitled Sedan Chair II. This report and two others somewhat like it that I had received began with a statement such as, "A confidential source reveals" or "a reliable source confidentially reports." This was followed by a summary of some political information.

In April 1972, I was mainly interested in reporting to Mr. Haldeman on those 30 campaign decisions and other relevant political items. I did not give much thought to what Mr. Magruder meant by "sophisticated political intelligence-gathering system." Nor did I give much thought to the real identity of Sedan Chair II, but I remember that the information dealt with Senator Humphrey's Pennsylvania organization.

However, on June 17, 1972, and afterward, as the news began unfolding about the break-in at the Democratic National Committee, I certainly began to wonder who else but people from 1701 could have been involved. I suspected that maybe the Watergate break-in was part of the sophisticated political intelligence operation Mr. Magruder had

that would strike me as far more sensitive a matter to send through the normal messenger channels than some file which other witnesses have indicated was not patently illegal on its face.

Mr. DASH. In other words, what you are saying is that you never did see the Gemstone file, Mr. Magruder never invited you over to see it, and that prior to March 30, you had no knowledge of any so-called Liddy intelligence plan?

Mr. STRACHAN. That is correct.

Mr. DASH. Now, did that change, at least after March 30?

If it did, could you tell us how it changed?

Mr. STRACHAN. Yes; I was aware that Mr. Magruder would be going down to Key Biscayne to review several campaign decisions that had accumulated during John Mitchell's working on the ITT problem. He called me up in an apparently fairly brief telephone conversation and reviewed the 30 or so pending campaign decisions. I took notes on that telephone conversation and prepared shortly thereafter a political matters memorandum for Mr. Haldeman, summarizing that telephone conversation as well as other information.

Mr. DASH. And what did that include? I mean did it include a Liddy intelligence plan?

Mr. STRACHAN. Yes; Mr. Magruder told me that a sophisticated political intelligence gathering system had been approved and I reported that to Mr. Haldeman.

Mr. DASH. Were you aware that that was one of the items for decision that went down to Key Biscayne with Mr. Magruder?

Mr. STRACHAN. No; I was not.

Mr. DASH. So that it was after he came back that he reported that to you?

Mr. STRACHAN. That is correct.

Mr. DASH. Can you recall approximately when he made that report to you?

Mr. STRACHAN. Well, it was shortly thereafter, I would guess either Friday, March 31, maybe Saturday. My secretary recalls having typed the memorandum on Friday.

Mr. DASH. And it is clear in your mind that Mr. Magruder reported that Mr. Mitchell had in fact approved a sophisticated intelligence plan?

Mr. STRACHAN. Well, I concluded that Mr. Mitchell had approved it. I believe that when Mr. Magruder was going through the decisions and the way I would usually report it to Mr. Haldeman would be that Mr. Magruder reports that Mr. Mitchell has approved the following matters, and I would put a colon, and then I would list the items.

Mr. DASH. But did you do it with regard to this plan?

Mr. STRACHAN. Yes; that was one of the 30 items that was listed.

Mr. DASH. I think in your statement you referred to a sophisticated intelligence system with a budget of 300. Three hundred what?

Mr. STRACHAN. Well, it is \$300,000. On almost all of the memorandums that I wrote to Mr. Haldeman, I would leave off the last three zeroes, because usually the figures that we were dealing with were very, very large.

Mr. DASH. Now, you say that you then prepared a political matters memorandum for Mr. Haldeman, and you included this approved

Mr. MAGRUDER. Primarily Mr. Dean and Mr. Mitchell.

Mr. DASH. Now, did you testify before the grand jury under any immunity provision?

Mr. MAGRUDER. No, sir.

Mr. DASH. When did you most recently testify before the grand jury?

Mr. MAGRUDER. That would have been probably 2 weeks after the April 14 discussion with the prosecutors.

Mr. DASH. What understanding do you have with the prosecutors with regard to yourself at this point?

Mr. MAGRUDER. As I understand it, I will plead guilty to a 1-count felony charge of conspiracy.

Mr. DASH. And will you be a witness at the criminal trial?

Mr. MAGRUDER. Yes, sir.

Mr. DASH. I have no further questions, Mr. Chairman.

Senator ERVIN. Senator Baker.

Senator BAKER. Mr. Chairman, thank you very much.

As we did on yesterday, we made an effort to rotate the questioning among members of the committee so that the sequence is not exactly the same. We intended to try that again today with the chairman's concurrence and to rearrange the sequence of things in a different way. I will now follow Mr. Dash, I will yield then in our turn to Senator Weicker and Senator Gurney, and instead of minority counsel following after majority counsel, minority counsel will conclude the questioning of this witness.

Mr. Magruder, I am not clear in my mind about who originated the idea of the clandestine intelligence operation and when that was done.

Mr. MAGRUDER. Well, Mr. Liddy was brought over to me at the committee in December and I was told that he would handle our intelligence-gathering operations, by Mr. Dean. He indicated that Mr. Mitchell had approved this. We did not discuss in detail at that meeting what these operations would be.

Senator BAKER. Did you discuss electronic eavesdropping?

Mr. MAGRUDER. No, we did not.

Senator BAKER. Did you discuss the Democratic National Committee?

Mr. MAGRUDER. No, we did not.

Senator BAKER. But the chain of events is that Mr. Dean recommended to you Mr. Liddy.

Mr. MAGRUDER. Yes, sir.

Senator BAKER. It is your understanding that Mr. Mitchell had recommended Mr. Liddy?

Mr. MAGRUDER. My understanding is they had met in November, November 24, Mr. Liddy, Mr. Dean and Mr. Mitchell and at that time it was agreed he would become our counsel and handle our intelligence operations.

Senator BAKER. What was the nature of your concept of intelligence operations at that point?

Mr. MAGRUDER. My concept?

Senator BAKER. Yes; or Mr. Dean's or Mr. Mitchell's; if you know?

Mr. MAGRUDER. I do not know what their concept was. My concept was simply one of gathering as much information through sources in the opposition's committee would have been my concept at that time.

Senator MONTORA. Now, Mr. Magruder, would you say that you were acquainted with most of these projects that, especially those on which you kept a little file known as Gemstone?

Mr. MAGRUDER. Senator, when you say acquainted—

Senator MONTORA. Acquainted or aware of the projects.

Mr. MAGRUDER. Well, specifically the Watergate break-in, yes, I was specifically aware of that project.

Senator MONTORA. Did you have anything in your files with respect to Ruby 1?

Mr. MAGRUDER. My recollection of, I think, Ruby 1 and Ruby 2 and Crystal were code names, I think that Mr. Liddy used for the various bugs. I am not sure if that is correct. I think that is what it was.

Senator MONTORA. Can you elaborate or amplify on their significance?

Mr. MAGRUDER. I did not pay any attention to the names at all. It did not interest me.

Senator MONTORA. Did you have anything—

Mr. MAGRUDER. But I remember the names.

Senator MONTORA. Did you have anything in your files with respect to these names?

Mr. MAGRUDER. Well, when the documents came in those names were in the documents, and I just cannot recall in what context they were in the documents. My recollection was that I thought that they were the positioning that would identify where that bug was, that is what I thought. I would not, I could not verify that. I think that is my recollection of what Ruby 1, Ruby 2, and Crystal meant.

Senator MONTORA. Do you mean to tell me you did not read the documents that went into the Gemstone file?

Mr. MAGRUDER. I did not say that, sir. I said I read the documents but the jargon, the jargon that Mr. Liddy used was not of any interest. Actually, Senator, I only read the documents once, found them to be useless and did not read them again.

Senator MONTORA. What about Sedan Chair No. 2?

Mr. MAGRUDER. Sedan Chair 2, to my recollection, was an individual who was in the Humphrey campaign, who had been set up before Mr. Liddy came on board, although that could be incorrect, it may have been after, and was simply a, as I understood it, I think a disgruntled employee who was passing information to us. I just do not know who Sedan Chair 2 was. He wrote one extensive report that I think Mr. Porter alluded to Humphrey's campaign in Philadelphia.

Senator MONTORA. Now, you indicated also in testimony heretofore given that you always assumed that when Mr. Dean acted that he had authority either from Mr. Haldeman or Mr. Ehrlichman, did you not?

Mr. MAGRUDER. I think, Senator, I said that his normal reporting relationship was either between Mr. Haldeman and Mr. Ehrlichman. I do not know specifically in every case whether he was acting in their behalf.

Senator MONTORA. But you were under the belief that because he was employed at the White House under these two gentlemen that he was acting for and in their behalf. Is that what you indicated before?

Mr. MAGRUDER. Senator, in a general context; yes, sir.

Senator MONTORA. What particular part did Mr. Dean have in forging the plan for the coverup?

Mr. REISNER. The total amount, when you added up the amount Mr. Porter had received, seemed to be in the range of \$40,000 to \$50,000. But that was—

Mr. THOMPSON. Is that what the committee referred to as petty cash at that time?

Mr. REISNER. I referred to it as petty cash until I had assisted Mr. Porter in the activity.

Mr. THOMPSON. And realized it was greater than you thought.

Mr. REISNER. I am sorry?

Mr. THOMPSON. And you realized that the money he had was more than you thought?

Mr. REISNER. With this exception: It was not petty cash in the sense that there were \$7,000 or \$8,000 on hand, which is certainly not petty cash. The \$40,000 to \$50,000 that I am referring to was sums that had accrued from the beginning of the time that there were receipts—July or June of 1971 until March.

Mr. THOMPSON. How much cash was in the safe?

Mr. REISNER. How much cash at that time? It seems to me it was in the neighborhood of several thousand dollars—perhaps as much as five or six.

Mr. THOMPSON. Did the receipts—do you recall any names of, or any amounts to individuals who were receiving money from Mr. Porter's safe?

Mr. REISNER. Well, I can remember that there were, in addition to Mr. Liddy—now, Mr. Liddy was—it was Mr. Porter that indicated to me that Mr. Liddy was receiving money. There was an individual who was referred to by a code name and that code name was "Sedan Chair" and that that individual was—

Mr. THOMPSON. Sedan Chair? Two words?

Mr. REISNER. Yes. I believe it was actually "Sedan Chair 2."

Mr. THOMPSON. Was there a Sedan Chair 1?

Mr. REISNER. I do not know. I do not know. Perhaps there was. There was also an individual who worked for Mr. Porter named Roger Stone, who I believe received money. And there may have been other individuals.

But to my recollection, which is a little bit vague on this, there was not a regular disbursement, with those exceptions.

Mr. THOMPSON. Who was Sedan Chair?

Mr. REISNER. I do not know. I know that—well, I mean, I have sort of a general circumstantial understanding of who I think Sedan Chair was.

Mr. THOMPSON. Tell us about it.

Mr. REISNER. I will come as close as I can.

Mr. THOMPSON. Tell us about it.

Mr. REISNER. Subsequent to that, after I learned that there was such an individual, I think I was more alert to the name and I did see a memo in April, I believe, or perhaps May, that purported to be a report from another campaign committee. I believe it was the Humphrey committee. I do not know for a fact who Sedan Chair was. It could have been someone who just simply had his disagreement with the Humphrey committee and wished to report on some of their activities.

Mr. THOMPSON. It was someone in the Humphrey committee, from what you can tell?

Mr. REISNER. From what I can tell, I mean it purported to be.

Mr. THOMPSON. How much money was this individual receiving?

Mr. REISNER. My recollection is that it was approximately a thousand dollars a month, but I could have read that in the newspaper, frankly, it is vague.

Mr. THOMPSON. What about Mr. Liddy?

Mr. REISNER. Mr. Liddy received several disbursements that were considerably larger than that. I think they were in the nature of \$5,000 to \$8,000, I am not certain. The reason I remember them is that there were—he would return sums of money and it made the accounting somewhat bizarre. He would return \$300 after taking out \$8,000, that sort of thing. I really am not completely clear on that.

Mr. THOMPSON. Was there any indication as to the total amount Liddy had received to that time?

Mr. REISNER. No, there wasn't. I have the feeling that the total magnitude, \$40,000 to \$50,000, means that, and that is the total magnitude of what was recorded. I have no idea. Mr. Porter, I do not think, would have hidden any of what he was recording but I only saw what the receipts were there and Mr. Liddy's total figure I would think would be in the nature of half of that.

Mr. THOMPSON. Did you state when this inventory took place?

Mr. REISNER. In March, later March. I could not pin it down exactly but it was late March.

Mr. THOMPSON. Concerning the money in Mr. Porter's safe, could you tell either from anything that you saw there in the nature of receipts, from conversations with Mr. Porter, from conversations with anybody else about any other operations or individuals who were being funded, who had been paid money out of the safe of Mr. Porter?

Mr. REISNER. Anything else would be by the nature of a supposition. There is nothing else that—

Mr. THOMPSON. Do you know?

Mr. REISNER. It is hard.

Mr. THOMPSON. Or do you know or have any basis for believing that any demonstrations or counter demonstrations were funded?

Mr. REISNER. Yes, there was one occasion in April in which I overheard a conversation. The nature of my job was such that there are pieces of these things that were overheard that after subsequent events they perhaps take some meaning. I was sitting in Mr. Magruder's office at the time he received a phone call. The phone call concerned the fact that there was a desire to get some counter demonstrators or demonstrators to attend the Hoover funeral, that there was some sort of planned demonstration. It seems to me that that was an activity that Mr. Liddy was then asked to undertake and it seems to me there was some cash in that activity.

Mr. THOMPSON. Magruder asked Liddy to take care of this?

Mr. REISNER. When I say this I say this in an effort to be cooperative because I am talking about only my specific recollection. It may be that that wasn't carried out or that it was carried out differently from the way in which I heard the conversation and I think only Mr. Porter could be of assistance there. That was the nature of the initial conversation.

Senator WEICKER. Which Senator is this?

Mr. PORTER. Senator Muskie—could be used as a great front to go to California and hold tax hearings that would be a great visual event for Senator Muskie and all at the taxpayers' expense and he could get a lot of value for his campaign.

We thought that was rather interesting, to say the least, and I told Mr. Magruder about it. He asked me to just copy the memo on a, I believe it was written on plain bond—and send it to Evans and Novak.

Miss Duncan did that. Miss Duncan typed it and we sent it to Evans and Novak, and they printed it and the hearings were never held.

Senator WEICKER. All right. Were there other documents or other instances where Miss Duncan performed services relative to—

Mr. PORTER. Yes, sir, I believe it was Miss Duncan. On one occasion, Senator Muskie's speech that he was going to deliver in the Senate against the nomination of William Rehnquist to the Supreme Court was on the film, and I specifically was—it was about 20 pages and I asked Mr. Magruder what he wanted me to do with it. He said, let me check, and he did check, and he got back to me and said, Mr. Mitchell would like to see it.

So that had to be completely typed and I had to read—I read off the film into an IBM dictaphone, and I believe it was Miss Duncan who typed that. I believe it was she.

Senator WEICKER. Miss Duncan now being your secretary, is that correct?

Mr. PORTER. Yes, sir.

Senator WEICKER. At any time, did you send Miss Duncan to the White House to give Gordon Strachan copies of the photographed documents or the transcripts emanating from those documents?

Mr. PORTER. I do not remember, sir, whether I did or not; I do not remember. It is possible that I did. If I did, it would have been because Mr. Magruder would have said, take a copy of this over to Gordon Strachan.

Senator WEICKER. I do want you to think about this answer.

Mr. PORTER. I understand.

Senator WEICKER. I am not trying to mislead you, and if you care to take a minute or so, just to carefully think about it, please do so. I do not want to rush you.

Mr. PORTER. I will tell it as I remember it, and I do—let me say this. Certainly, if Miss Duncan says that that happened, then it did happen. I would not dispute anything that she might say.

On the other hand, the only reason that I would send a document over to Mr. Strachan would be at Mr. Magruder's suggestion or direction. I believe that I do remember sending—I believe there was only one copy of the Rehnquist speech put together—I think—it was so long. However, on the item that appeared that was sent to Evans and Novak, I think perhaps that may have been sent over to Mr. Strachan. I just do not remember, Senator.

Senator WEICKER. And you realized at that time that these various documents—well, let me rephrase my question.

The obtaining of these documents, did you consider them to have been obtained legally or illegally?



Mr. PORTER. I remember asking Mr. Rietz. The first question I asked him, I said, "Is this any part of the U.S. mail?" And he said, "No."

I knew that intercepting the U.S. mail would be a violation of the law.

I put the photographing of a document in the same category as xeroxing a document. If you are taking a picture of it one way, you are taking a picture of it another way. So I did not think it was illegal. I thought it was very surreptitious, but I did not think it was illegal.

Senator WEICKER. You thought it was surreptitious?

Mr. PORTER. Yes, sir.

Senator WEICKER. But you did not think it was illegal?

Mr. PORTER. No, sir.

Senator WEICKER. Why, then, did you indicate to your secretary that these were not matters to be discussed?

Mr. PORTER. I think that is, in my opinion, that would be self-evident, Senator Weicker, that you would not go around discussing things like that, the same as you would not go around discussing any kind of information gathering that you might be doing.

Senator WEICKER. Did you indicate to her that if she discussed it, she would be fired?

Mr. PORTER. I do not believe I ever made that statement to her, no, sir.

Senator WEICKER. Again, let me just ask the question, am I correct in paraphrasing your answer to me that there might have been an instance where you sent material to the White House to Gordon Strachan or am I correct in saying that there were those instances and if so, how many? That is my question.

Mr. PORTER. I cannot remember the exact number of instances that I sent things to Mr. Strachan. Mr. Strachan would get copies addressed to Mr. Haldeman of many things that I did, Senator, in relationship to my primary function at the campaign or the surrogate operation, schedules, and plans—

Senator WEICKER. I understand, but—

Mr. PORTER. I do not remember—excuse me.

Senator WEICKER. Excuse me.

Mr. PORTER. I just do not remember specific instances where Mr. Strachan was sent an item here or an item there. As I say, if Miss Duncan says that she did, then I would believe that. But I personally do not remember that specific instance.

Senator WEICKER. You do not remember, then, sending Miss Duncan to the White House to give Gordon Strachan copies of these photographed documents?

Mr. PORTER. I would say that, if it is an answer, I kind of remember it, but not enough to sit and testify that I did it. All right? I mean, I sent Mr. Strachan documents and, on occasion, Miss Duncan would hand carry them for one reason or another—either because the messenger was not going to come back until 4 o'clock and it was noon, or Mr. Magruder wanted to get something over there right away, or something like that, and the secretaries would hand carry them.

Senator WEICKER. I have no further questions, Mr. Chairman.

Senator ERVIN. Senator Montoya.



9. Dean told the President on March 21, 1973 that Haldeman was assuming that the Committee to Re-Elect the President had an intelligence gathering operation conducted by Liddy that was proper. Dean told the President there was nothing illegal about "Sedan Chair".

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9a  
either fish or cut bait. This is absurd to have these guys over there and not using them. If you are not going to use them, I may use them." Things of this nature.

P When was this?

D This was apparently in February of '72.

P Did Colson know what they were talking about?

D I can only assume, because of his close relationship with Hunt, that he had a damn good idea what they were talking about, a damn good idea. He would probably deny it today and probably get away with denying it. But I still -- unless Hunt blows on him. --

P But then Hunt isn't enough. It takes two' doesn't it?

D Probably. Probably. But Liddy was there also and if Liddy were to blow --

Then you have a problem -- I was saying as to the criminal liability in the White House.

D I will go back over that, and take out any of the soft spots.

P Colson, you think was the person who pushed?

D I think he helped to get the thing off the dime. Now something else occurred though --

P Did Colson -- had he talked to anybody here?

D No. I think this was --

P Did he talk with Haldeman?

D No, I don't think so. But here is the next thing that comes in the chain. I think Bob was assuming, that they had some-

thing that was proper over there, some intelligence gathering operation that Liddy was operating. And through Strachan, who was his tickler, he started pushing them to get some information and they -- Magruder -- took that as a signal to probably go to Mitchell and to say, "They are pushing us like crazy for this from the White House. And so Mitchell probably puffed on his pipe and said, "Go ahead," and never really reflected on what it was all about. So they had some plan that obviously had, I gather, different targets they were going to go after. They were going to infiltrate, and bug, and do all this sort of thing to a lot of these targets. This is knowledge I have after the fact. Apparently after they had initially broken in and bugged the DNC they were getting information. The information was coming over here to Strachan and some of it was given to Haldeman, there is no doubt about it.

P Did he know where it was coming from?

D I don't really know if he would.

P Not necessarily?

D Not necessarily. Strachan knew it. There is no doubt about it, and whether Strachan -- I have never come to press these people on these points because it hurts them to give up that next inch, so I had to piece things together. Strachan was aware of receiving information, reporting to

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Bob. At one point Bob even gave instructions to change their capabilities from Muskie to McGovern, and passed this back through Strachan to Magruder and apparently to Liddy. And Liddy was starting to make arrangements to go in and bug the McGovern operation.

P They had never bugged Muskie, though, did they?

D No, they hadn't, but they had infiltrated it by a secretary.

P By a secretary?

D By a secretary and a chauffeur. There is nothing illegal about that. So the information was coming over here and then I, finally, after --. The next point in time that I became aware of anything was on June 17th when I got the word that there had been this break in at the DNC and somebody from our Committee had been caught in the DNC. And I said, "Oh, (expletive deleted)." You know, eventually putting the pieces together --

P You knew what it was.

D I knew who it was. So I called Liddy on Monday morning and said, "First, Gordon, I want to know whether anybody in the White House was involved in this." And he said, "No, they weren't." I said, "Well I want to know how in (adjective deleted) name this happened." He said, "Well, I was pushed without mercy by Magruder to get in there and to get more information. That the information was not satisfactory.

10. Political Matters Memo #18 was prepared by Strachan and submitted to Haldeman on March 31, 1972. On April 4, 1972 Strachan prepared a talking paper including the mention of the "sophisticated intelligence gathering operation" for use by Haldeman in a meeting he was having with Mitchell on that day. The paper was returned to Strachan and filed with Memo #18 after Haldeman met with Mitchell. Strachan testified the subject of intelligence gathering was never raised again by Haldeman. Strachan is certain none of the Political Matters Memo had the "P" with a check mark through the "P" which was the procedure used for memos discussed in that form with the President.

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that would strike me as far more sensitive a matter to send through the normal messenger channels than some file which other witnesses have indicated was not patently illegal on its face.

Mr. DASH. In other words, what you are saying is that you never did see the Gemstone file, Mr. Magruder never invited you over to see it, and that prior to March 30, you had no knowledge of any so-called Liddy intelligence plan?

Mr. STRACHAN. That is correct.

Mr. DASH. Now, did that change, at least after March 30?

If it did, could you tell us how it changed?

Mr. STRACHAN. Yes; I was aware that Mr. Magruder would be going down to Key Biscayne to review several campaign decisions that had accumulated during John Mitchell's working on the ITT problem. He called me up in an apparently fairly brief telephone conversation and reviewed the 30 or so pending campaign decisions. I took notes on that telephone conversation and prepared shortly thereafter a political matters memorandum for Mr. Haldeman, summarizing that telephone conversation as well as other information.

Mr. DASH. And what did that include? I mean did it include a Liddy intelligence plan?

Mr. STRACHAN. Yes; Mr. Magruder told me that a sophisticated political intelligence gathering system had been approved and I reported that to Mr. Haldeman.

Mr. DASH. Were you aware that that was one of the items for decision that went down to Key Biscayne with Mr. Magruder?

Mr. STRACHAN. No; I was not.

Mr. DASH. So that it was after he came back that he reported that to you?

Mr. STRACHAN. That is correct.

Mr. DASH. Can you recall approximately when he made that report to you?

Mr. STRACHAN. Well, it was shortly thereafter, I would guess either Friday, March 31, maybe Saturday. My secretary recalls having typed the memorandum on Friday.

Mr. DASH. And it is clear in your mind that Mr. Magruder reported that Mr. Mitchell had in fact approved a sophisticated intelligence plan?

Mr. STRACHAN. Well, I concluded that Mr. Mitchell had approved it. I believe that when Mr. Magruder was going through the decisions and the way I would usually report it to Mr. Haldeman would be that Mr. Magruder reports that Mr. Mitchell has approved the following matters, and I would put a colon, and then I would list the items.

Mr. DASH. But did you do it with regard to this plan?

Mr. STRACHAN. Yes; that was one of the 30 items that was listed.

Mr. DASH. I think in your statement you referred to a sophisticated intelligence system with a budget of 300. Three hundred what?

Mr. STRACHAN. Well, it is \$300,000. On almost all of the memorandums that I wrote to Mr. Haldeman, I would leave off the last three zeroes, because usually the figures that we were dealing with were very, very large.

Mr. DASH. Now, you say that you then prepared a political matters memorandum for Mr. Haldeman, and you included this approved



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Mr. STRACHAN. Well, there was a button on the call director phone that I had which would buzz when I was to pick that line up, and I pushed down the button and began listening to the conversation usually at that time which was already in progress.

Mr. DASH. All right. In this particular case now with a call, I take it, you are testifying to Mr. Mitchell, could you tell us, having picked up the line, what you heard?

Mr. STRACHAN. Well, Mr. Mitchell indicated that he was either going to return or had returned from Florida, and Mr. Haldeman jokingly said, "Well, that is clearly a mistake. You ought to stay down there and vacation some more," and Mr. Mitchell indicated that "Well, we had better get together and talk about some matters." Haldeman asked him if 3 o'clock that day would be convenient.

Mr. DASH. And that day was when?

Mr. STRACHAN. April 4.

Mr. DASH. 1972?

Mr. STRACHAN. 1972.

Mr. DASH. And was there, in fact, a meeting on April 4, 1972, between Mr. Haldeman and Mr. Mitchell?

Mr. STRACHAN. Well, I did not attend the meeting so I could not testify that there was in fact but I prepared a talking paper for the meeting and we would prepare a folder which would include the talking paper, and the talking paper went into his office and came back out afterwards.

Mr. DASH. All right.

Now, in this talking paper, did you include the item of the sophisticated intelligence plan with a budget of \$300,000?

Mr. STRACHAN. Yes. In most talking papers I would frequently pose the question is the intelligence system adequate? Is the proposal on track, just to get the conversation going on the subject, and in this particular one I did include that paragraph.

Mr. DASH. Now, prior to that meeting and when you were preparing that talking paper, was there any other political intelligence plan operative or being considered to your knowledge?

Mr. STRACHAN. No; not to my knowledge.

Mr. DASH. Did you receive back that talking paper after you had given it to Mr. Haldeman?

Mr. STRACHAN. Yes. I did.

Mr. DASH. And to your knowledge, was there any indication as to whether all the items on the talking paper had been discussed?

Mr. STRACHAN. Well, usually if a matter had not been discussed he would indicate that it should be raised again. In this case it was not raised again, indicating that he would have covered the subject.

Mr. DASH. What did you do with that talking paper then when you received it back?

Mr. STRACHAN. I put it back in the file with the political matters memo 18 files.

Mr. DASH. And there was no indication from Mr. Haldeman that he had either not discussed it or it needed any further action on your part?

Mr. STRACHAN. That is correct.

Mr. DASH. Now, did there come a time after that meeting between Mr. Mitchell and Mr. Haldeman, and also in the same month of April,

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Senator INOUE. Was any distinction made between personal and private papers and public papers, or were they all in one package, sir?

Mr. STRACHAN. Well, that question of law has never been settled. Most Presidents have taken the view that any documents prepared in their public capacity belong to them. Former President Johnson left with something like 20 moving vans full of documents and memorabilia, with no apparent distinction between personal papers that he had drafted and papers that had been prepared by other members of the Government for him.

Senator INOUE. Were the tapes that we have been discussing today a part of the estate of Richard M. Nixon? Part of the estate plan?

Mr. STRACHAN. Well, usually, the description of the assets which would be transferred would be extraordinarily broad. Terms such as "materials" would be used to include everything—papers, memorabilia, State gifts, tapes, photographs, almost anything related to the Presidency.

Senator INOUE. Were you aware that the tapes that have been under discussion the last few days were considered as part of the estate plan of the President?

Mr. STRACHAN. No, I did not know of the existence of those tapes until Mr. Butterfield's testimony.

Senator INOUE. Now, you have said that you prepared several political memos which were passed on to Mr. Haldeman. Are you aware if these memos were ever seen by the President?

Mr. STRACHAN. No, and I would doubt that they were, because memorandums which I drafted for Mr. Haldeman, that he reviewed with the President, would usually concern polling matters, and he would put a "P" up in the upper right-hand corner, indicating that he would want to take it in and cover it with the President, then it would come back to me with a checkmark through the "P," indicating that he had covered it with the President. And I do not remember, and I am certain that I would, that any of my political matters memos were covered with the President in that form.

Senator INOUE. My final question before we recess for a few moments. Mr. John Dean has stated that he recalled visiting you in your office in the presence of Mr. Richard Moore and recalling your saying that you would, if necessary, perjure yourself to prevent involving Mr. Haldeman.

Just for the record, is that still the frame of your mind?

Mr. STRACHAN. Well, it is certainly not the frame of my mind now, and it wasn't at the time. The particular meeting or conversation that Mr. Dean, I believe, is referring to followed a series of meetings to decide how to cope with the Segretti matter. Mr. Dean testified that there was a Sunday meeting in the Roosevelt room, and he listed the attendees, trying to deal with the imminent story on Mr. Segretti. Mr. Dean did not mention my name, yet I was at that meeting.

There were a series of meetings after that, and I believe one of them was the meeting in question with Mr. Moore. We were working on statements that could be put out to the press by the White House, such as the one that Mr. Chapin eventually released, and I indicated at that time that if the statement was to be released in my name, it could indicate that I had approved Don Segretti instead of Mr. Haldeman.

11. Haldeman has testified that he and Mitchell did not discuss intelligence gathering activities with the President on April 4, 1972, and that he and Mitchell only reviewed with the President matters relating to the ITT-Kleindienst hearings and arguments of regional campaign responsibilities. Haldeman's notes of the meeting show no political intelligence gathering operations were discussed. The transcript of April 4, 1972, meeting between the President, Haldeman, and John Mitchell confirms that there was no discussion of campaign intelligence gathering activities.

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tion to either of us that he had been instructed to destroy any materials or make sure files were clean.

I think the effort to bring in my April 4 meeting with John Mitchell as in some way significant with regard to intelligence is a little far-fetched. By his testimony, Strachan doesn't know what was discussed at that meeting. All he says is that, in routine fashion, he put an item on the talking paper regarding the adequacy of intelligence. As a matter of fact, the meeting with Mr. Mitchell that day was in connection with a meeting of Mitchell and me with the President. My notes taken at the meeting with the President indicate the discussion covered the ITT-Kleindienst hearings and a review of Mitchell's plans for assigning regional campaign responsibilities to specific individuals. They indicate no discussion of intelligence.

#### DEAN INVESTIGATION

John Dean, in his Camp David report—which is now exhibit 34-43\* before this committee—says that when he arrived in Washington on Sunday afternoon, June 18, he realized that the President would have to know everything that he could find out. He realized at that point that he would be asked to assemble all of the facts so that the White House could be fully informed as to what had transpired and how it would affect the President, but having been on an airplane for approximately 25 hours he did nothing further that evening.

The next morning, after reading all of the news accounts of the Watergate incident, he spoke with John Ehrlichman, who instructed him to get the facts together and report to him. He then called the Attorney General to get what facts he knew. He called Gordon Liddy and met with him. Dean asked Liddy if anyone at the White House was involved and he told him no.

During the days and weeks that followed, Dean discussed the incident with everyone who he thought might have any knowledge or involvement.

The source of these facts is John Dean's report, or the start of it, which he wrote at Camp David in March of this year.

There is absolutely no question in my mind, or, I'm sure, in the minds of anyone at the White House, or at the Justice Department, that John Dean was in fact conducting an investigation for the White House regarding the Watergate as it might involve the White House. It is inconceivable to me that there could be any doubt in Dean's mind.

Dean moved in immediately after the incident as sort of the Watergate project officer in the White House. This was in keeping with our usual procedure; the responsibility was his and he had the authority to proceed. Dean kept Ehrlichman and me posted from time to time on developments and, through us, the President. He apparently did not keep us fully posted and it now appears he did not keep us accurately posted.

The President, Ehrlichman and I were very much involved in many other vital matters through this entire period and we made no attempt to get into the details of, or in any way take over, the Watergate case.

\*See Book 3, p. 1263.

June 5, 1974

Honorable John M. Dear  
Special Counsel to the  
House Judiciary Committee  
Congressional Annex  
New Jersey & C Street, S.E.  
Washington, D.C.

Dear Mr. Dear:

This is in response to your request for the tape recording of the conversation between the President, Mr. John Mitchell and H. R. Haldeman on April 4, 1972, from 4:13 - 4:50 P.M., with respect to which there was sworn testimony by Mr. H. R. Haldeman that the subject of ITT was discussed. Attached is a transcript of that meeting.

If it is desired to check the accuracy of the transcript, I am authorized to advise you that the President would permit the Chairman, Mr. Rodino, and the Ranking Minority Member, Mr. Hutchinson, to listen to the tape at the White House.

Sincerely,

James D. St. Clair  
Special Counsel to the President

The President/Attorney General Mitchell  
and H. R. Haldeman  
Oval Office  
April 4, 1972 - 4:13 - 4:50 PM  
(Expletives Deleted)

P Well John, I hope you had some time off -- that they didn't  
bother you to death with ITT and all that

M No. It was simply wonderful.

P Good (unintelligible).

M We always enjoy it, Mr. President. Oh, Bebe turned that  
thing up according to your formula and

H (Laughter).

M I tell you, it was just great.

P I told these people around here, I said (unintelligible) call  
Mitchell, I said don't you Bob, and.  
Of course, I suppose they had to (unintelligible) one or two.

M Well some of them did.

H We didn't bother you too much?

M No, not you fellows.

P I said in the campaign -- I said to hell with the damn  
campaign. Did you do any golfing? No? -

M Hell, I didn't even care to.

P Did you fish?

M We fished, and we went out in the boat with Bebe a couple of  
times and had dinner with him two or three times.

-2-

- P I'd like a little consomme. Want some consomme?
- M I'd love some. So it was just absolutely great. We had some of the people down from the Committee where we could spend a couple of days, you know, with quiet and so
- P Yeah (unintelligible) sort of busy these days. Try and get the weather, damn it, if any of you know any prayers, say them (unintelligible) weather. Let's get that weather cleared up. The bastards have never been bombed like they're going to be bombed this time, but you've got to have weather.
- M Is the weather still bad?
- P Huh! It isn't bad. The Air Force isn't worth a I mean, they won't fly. Oh, they fly, but they won't -- you see our Air Force is not . . .
- H It's the strangest thing -- in World War II they flew those bombing runs all the time and they couldn't see a thing.
- P I know.
- M But they were doing a different type of bombing then.
- P Strategic bombing and all that -- nevertheless it's a miserable business.
- M Are the Navy pilots as bad?

-3-

P Oh they're better, but they're all under this one command. It's all screwed up. We just aren't going to talk about it. The weather will clear up. It's bound to. When they do, they'll hit something -- and, they're a lot of brave guys -- you've got to say. After all that POW (unintelligible) that poor who got shot down. They're over there starving on that damned rice. It's all right, we'll give 'em hell. Well the ah, what are your reflections on the present thing. Why don't we start with what I told the staff to get the hell off of the ITT and then get on to politics which is more interesting, not that that isn't --

M But that's politics -- pure and simple politics, but hopefully we'll get this thing.

P Well, I don't know if we'll ever get out of it -- I mean -- I think what we have to face is that it will be investigated by (unintelligible) election as you get closer to the election of course it's extremely, I think that -- I think you might adopt the practice -- I think you might consider adopting the practice that after the Democratic Convention the Republicans will boycott all investigating committees on the grounds that they are politically motivated. How would that be?



-4-

M I would think I would go beyond investigative committees.

I'd go to some of the others where you have a facade

P Harassing.

M Of substance, but

H (Unintelligible). It's a good idea.

P Yeah -- we're going to boycott anything that we think is politically motivated.

H These people are disgracing (unintelligible).

P And ah, Republicans just walk off and say it's just politically motivated. Well, at least ITT got 'em confused.

M I would say it's quite confusing. Some of the more enlightened newspaper people are beginning to write to the effect that the Democrats got to come up with something more than they've come up with or the monkey's going to be on their back.

H Manolo, who do you think (unintelligible).

MS I don't think so, sir.

M Not much Manolo.

MS What they do is (unintelligible).

M You happen to be right, Manolo. I was just telling --

(Material unrelated to Presidential actions deleted)

-5-

- M You know this little girl -- this Lichtman -- the secretary?  
You know where she had her press conference don't you -- did  
you notice that? Down in the law office of the Democrat  
Chairman for the District --
- P She's a Democrat?
- M Yeah, but the press conference was held in the law office of  
this (unintelligible) District, Democrat Chairman, and yet  
there wasn't anything in the newspapers about it or why it  
just so happened.
- HorP (Unintelligible).
- M Most of the 'Shakers' are, that's for sure.
- P What is your view about the convention -- about all the scares  
and cries I hear about the 250,000 naked kids that are going  
to be coming?
- M Well, Bob and I have just gone over this and I've had a meeting  
this morning with
- P Kleindienst told us about it.

-6-

M And so forth, ah, it seems to me there are three factors -- number one was screaming kids -- if you call them kids; number two -- the ITT Sheraton business with the television on the hotel all through the Convention; and thirdly, and equally, if not more important, is the fact that the site selection committee and the people that went out there to look at that thing did a God damned poor job. Its come to the point where it's going to cost between 2.4 and 2.5 million to put that thing together. In addition to that, there's

H That's if we just get the convention hall apparently?

M No, no, this is the whole thing, this is the whole thing.

H I see, all the hotels and stuff involved.

M Yeah everything; in addition to that there has to be nine hundred odd thousand dollars of insulation in that arena out there, and in addition to that there's a

P Who, (unintelligible) this, Wilson (unintelligible).

M No, I think a lot of our people closer to us than that were at fault in not recognizing the limitations of these facilities.

P All right.

M In addition to that you have your building trades labor contract coming up on June 1, out there for negotiations, and they can put the pressure on your pay board or the rest of it. So, in view of that we have thought of the potential of changing the site. We can get out of there --

-7-

P What ground would you use for changing it?

M The cost and the uncertainty of the availability of the facilities.

H There's a real question as to whether they can do the construction on --

M That's correct, and the arena out there is owned by two Canadians, and they're just acting tougher than hell.

P All Canadians are tough.

M And, there's no contract with them that covers some of these things; -- ah, so that you're not walking away from the City of San Diego, you're walking away

H You can make a very good case.

P How about San Diegians -- how do they feel?

M I don't know, frankly, I believe it would be mixed emotions.

H It's mixed, but with all the talk of the demonstrators

P Lot of people don't want them there

H I think a lot of San Diegians would be very happy to have them go away.

M I would think that that would be the case.

(Overlapping conversation)

H Hotels anyway --

-8-

P (Unintelligible) you build the fact that the arena is in trouble, in other words, you've got to find the cause. This subject came up before, you know, you raised it, Bob, and said, well, our people are so stupid on public relations that I'm sure the way it would come out is we went because we didn't want to stay at the Sheraton where somebody I understand agreed I was to stay.

H No.

P I'm not even going to stay any place in San Diego -- I'm staying in San Clemente, but be that as it may that was apparently some story that they had. Well anyway, whatever it was, the question is whether or not at this point we could start the talk. It's awful hot incidentally, terribly hot.

H I can see that

M Well, we've started this

P Put it on the basis that the arena can't be finished. Can we do that?

M Yes, as a matter of fact, I was going to say we're starting this, programming this, by sending people out to continue, and I say continue the negotiations with these Canadians because they don't want to give us a place for lead time in order to get in there to do the improvements, etc., etc.

-9-

H Then we could start the cost thing and then  
(Overlapping conversation).

P I'd just say that the arena would not be finished.

M Well, the cost factor goes in with the negotiations because if  
you don't get into the arena to do the reconstruction by a certain  
date your cost factors multiply and multiply and multiply --  
so you just (unintelligible) the same factor. In the meantime,  
I talked to Bebe this morning and a Miami Beach of course is  
the logical place.

P Sure.

H (Unintelligible).

P Well, if it's all set up -- safe -- television -- that's the major  
consideration. At least it's all there. Go to the stupid damned  
place again, and I got a place to stay this time I wouldn't have  
to stay in a hotel.

M So Bebe has got this fellow Myers.

P Hank Myers.

M Hank Myers, who has the contacts and so forth, quietly can-  
vassing to see if the arena and the hotel rooms will be available.

H This time of year?

M Oh hell, they run a lot of conventions.

-10-

- P They run a lot of conventions but they'll clear them out by that time. It isn't really, I've been there in June and August -- we all have -- and they do run conventions, but generally speaking, it's still more open in the summer and the rates are lower.
- M Of course
- H It's still ridiculous though.
- M So, if the only negative factors that I see in the change
- P Is the admission of guilt in ITT, right?
- M Well, I think that that will go by the boards.
- P Maybe that's better than just having the damned story rehashed again.
- M I would rather have the -- if they can sell it as an admission of guilt now than I would have the television cameras on the Sheraton Hotel all through the Convention.
- P That's right. That's right.
- M I don't know
- P My theory is - It's the old story you know that a good poker player - cut your losses -- get out of the bad box and get out of it fast.
- M I don't know how our friend the Governor would take this. He might be damned glad to get the problems out of the way. I don't know, but we would do --

-11-

P Can't we -- could we have a situation where we have a break with the Canadians. You see what I mean? Create a conflict with them.

M That's what we're

P And then go out and announce it, but it's got -- if for once we could do the PR right -- if for once -- just one single solitary time -- and keep it out of Bob Wilson's hands -- and do it right -- but the problem is that the convention (unintelligible) that is the arena won't be ready, the cost is too great, or . . .

M That's the way we would program it.

P Think it would work?

H Sure. I think it would. You're bound to get some bumps on the other side? So what? You got a base a story -- just stick with it -- couldn't get the arena done -- made a mistake in surveying it. It's all fallen apart.

P You've got to establish that immediately though. This is April, and the Convention is only five months away, and so everybody is going, as you know, now that's going to be ready --

M You see these negotiations are going on and what we were proposing to do is to send a big architect and a builder or somebody else up to have a confrontation with the Canadians in Vancouver.



-12-

P Well let's do it.

M Well, we want to make sure we can go to Florida before we break this pick.

H I'd just soon not have a convention, but we can't get away with it.

M Have an absentee ballot -- that's what I'd prefer.

H The Ripon Society is suing us for improper selection of delegates or something.

P (Unintelligible).

H We have something where you state that (unintelligible) to the President gets eight additional delegates or something and the Ripon people have gone to court and some judge has upheld them on the first round.

P Is that right? Well that's been done -- been done from the beginning -- I don't know whether it means anything.

H I don't think it does. They don't seem to worry about that anymore.

M The fact of the matter is that there are a few rules that a political party has control of it's Convention and in the past they have ignored even the state laws that require people to be pledged for so many ballots and so forth. They've just ignored them.

-13-

P Let me ask you this. Do you think the possibilities of major demonstrations are less in Florida? It doesn't make a hell of a lot of difference anyway. I'd rather have a demonstration in Florida than I would in California anyway. California is a state we have to go for for other reasons.

H Well, I think they are infinitely less.

M Infinitely less.

H You've got much better physical (unintelligible).

M And in addition to that you have all the Democrats in control in Florida from the Governor on down -- where in California you have all the Republicans in control.

H (Unintelligible) have demonstrations (unintelligible).

P One story John, whenever you're asked about a (unintelligible). You know, I'm the only one in the whole outfit that didn't want to go to California. I was against it all the time.

M You wanted to go to Chicago. I didn't want you to.

P I did. That's right, but I (unintelligible).

M No question about it.

P How about Chicago now?

M Daley wouldn't let you in there, I bet.

P Oh

-14-

H Can't start from scratch from anyway now, I don't think.  
You've got

M Be very very difficult.

H It would.

M And we have a month between the Conventions -- more than  
a month in which

H Clean things up

M To change things enough to make it look like -- assuming that  
(unintelligible)

P (Unintelligible) platform in.

M The facilities for crowd control are so much better in Miami  
Beach there.

H And of course the cost is

M And we save money LEAA money, we don't have to

H Save police money.

P The other point is the Democrats really fouled up, and the  
police and the rest will feel that they have a responsibility to be  
a little bit more restrained when we're there. Well, I hope you  
can do it. My idea is -- I'd wait. Obviously we have to get ready --  
when it's ready -- I'd say in about 30 days from now.

M I think we could move in on it before then

H Faster

M Because we're at the point where

-15-

P (Unintelligible) no way you could do it though without being charged because of ITT

M Well Herman came out with a statement today which shows that ITT's contribution is down to \$25,000. I just think that the cost of it, the labor problem, the possibility that you'll never get that place in shape

P Yeah

M Ah, added on top --

P Also, we don't -- there's very little that we could do to screw up Florida as a state that we might win. California is a toss up anyway you figure it. It's a to carry and there's a nasty incident that could hurt us.

M Yep.

P That's the point. On the other hand, I don't think Reagan's attitude is supportive. He wants to carry the state. On the other hand, you got to figure whether or not -- these clowns that want to go there say -- oh it would help so much -- and all that business.

H (Unintelligible).

M Well -- you've a double edged sword there -- if everything went off nice and peaceful and you had all those 10,000 college kids we were going to have out there marching with their banners and everything was beautiful -- that'd be great.

P Yeah.

-16-

M But if you have one of these confrontations with a Republican Governor and a Republican Mayor and Pete Pitchess is sending in his storm-troopers -- why

P Yep.

M Well that's where the police are going to come from, you know they don't have enough in San Diego to handle it.

P (Unintelligible) send Pete Pitchess down - Sheriff's posse. Those old farts riding their horses. Well, I like it, but I would say that if you just start getting the word out awful fast about the (unintelligible) problem you are having with the Canadians. Is that being done, I haven't seen anything?

M Well, it's all local out there. It's known locally.

P The main point is to get it out nationally. Well.

H Local too.

P Who would say that? -- the Mayor would say it or the Convention Committee -- that we regret that we cannot handle it -- that we cannot have the hall ready.

M Well this is the Republican Convention and they wouldn't be saying it because they would, of course, have to bring that site selection committee back and they'd have to put out another call and things like that; so it would be the Republican National Committee that's the party of interest.

-17-

- P Ok. -- Well leaving that subject -- what else is -- I guess today is Wisconsin isn't it?
- M It certainly is -- ought to be an interesting go -- ah -- I told those fellows over there tonight with Dale and -- Dole and so forth -- to get out two thoughts in connection with this primary in Wisconsin. Number one, that there was a clear indication because of the proliferation that the Democrats did not have a viable national candidate when you look at who won in New Hampshire and who won in Florida and who won here and the next place and secondly, if there was any winner at all it was Teddy Kennedy. Now Teddy's been getting a free ride, but not being drawn into this, and if you have Dole, Dale and whoever else bring this up that --
- P Why wouldn't you say that Teddy is going to be the nominee.
- M Yeah, Teddy's getting
- P Rather than he's a winner -- I'd simply say that McGovern's a stomping horse for Kennedy and Lucey is the Kennedy man and it looks like Kennedy is going to be the winner of the nomination. Looks like Kennedy. None of the others have got the horses to win it. Smoke him out a little.
- M That's right and then, what I would hope would come out of it -- is what the Republican National Chairman and so forth are saying

-18-

M is that the reporters will be going to these other candidates and say "what do you think about what they are saying about Kennedy" and let's get them posturing themselves against Kennedy so that he doesn't get this free ride.

P It's clear, it's clear that this is a -- Mel Laird is saying that the reason Muskie has been really poleaxed there among other is that Lucey and the Kennedy Democrats have ganged up on him. They got behind McGovern, not for the purposes of supporting McGovern, but to kick the hell out of

M Muskie

P Muskie, and also, he said they did it for another reason: they didn't figure Hubert had a chance before Florida and didn't have time to change their course until then or they'd all been for Hubert, but then anybody but Kennedy. Their purpose was to stop Muskie. But they've done that -- now Hubert, of course, has come in.

H They can't stop Hubert! (Laughter)

P They can't stop him if he wins this time.

P I think he will. I think he'd be first -- McGovern second -- and if Wallace is third, I think Muskie then would be fourth, but that's just a guess.

-19-

M I don't know how the

P Maybe Muskie will be -- Muskie will be second.

M Well, I doubt that very much.

P He's up there though. He had a big telethon push which I  
(unintelligible).

M I don't think Muskie is going to have that drawing power up  
there.

P You know the thing that occurred to me is that -- it seems to  
me that as you look around the states -- the big states --  
New York is one that I don't think you could (unintelligible) --  
you really have to be personally in charge out there, and  
anybody else I let in there, you know what I mean, because  
you've to play the game and Rockefeller's got to carry it for  
us hasn't he? Have to get off his ass, but you've got to play  
the game with those conservatives, right? And so there the  
problem

H Incidentally, did you see Bill Buckley's -- you see that letter  
he sent out?

P No. What's he done now?

H He sent out a letter to the -- I don't know whether it's a  
circulation building letter or something to the publication people  
or whatever it is - but anyway, the whole pitch is -- "I've been  
asked about this coming election or something, and I will say  
proudly I will vote for Richard Nixon for President. I consider



-20-

H any one of the Democratic possibilities would be a disaster  
for this country." He said that "Nixon will be a problem too

M or P (Unintelligible)

H but that he has the job" -- no, he insists that "he has the job  
now of doing just what the conservatives want of pulling together a  
sufficiently broad coalition in order to be elected to govern." He  
said "I would not vote for Nixon as editor of a conservative  
journal."

P That's very good.

H And he said "I don't feel that we should abandon our principles  
but when we get to the election we must vote (unintelligible).

P Then he sort of sticks it to Ashbrook?

M Well, Bill's written

H He said he was going to do that

M A couple of column's you know that go in this

P How does he, well how does he deal with Ashbrook. I mean  
does he want him to get a good vote anyway?

H Yeah, because that's forcing you

M That's the signal

H To take a conservative position.

P I mean I watched Ashbrook closely

H You watch Ashbrook closely and get your guidance from  
(unintelligible)

-21-

P What I was going to say is -- in Pennsylvania, who do we have there that you would say -- you also will handle New Jersey won't you? I don't think (unintelligible) or were you using Sears or others

M Yeah, Sears.

P What about the list of the big states? We got New York and New Jersey. What would you say about Pennsylvania? (Unintelligible). Or do you just divide the state up?

M Oh, do you mean who do we have in Pennsylvania?

P The boss, I mean it's a (unintelligible). Who would you consider to be the top man?

M That's really divided into regions but Arlen Specter is -- well

P Specter is our general

M Well he's our campaign director. Scott and Schweiker are the co-chairmen, and Arlen --

P Specter is the statewide chairman?

M Yes.

P Good.

M Well he's really going to work.

P Well he's good.

M And a

P And he wants to be governor doesn't he?

M That's correct.

-22-

P Whether he wants to be (unintelligible), he's good don't you think with the Jews and with the Blacks and (unintelligible)?

Also he's with us.

M Yes, and also he's -- we're deciding whether Rizzo's campaign manager should go to work for Arlen Specter now or wait and a

P How's his relationship with the Pittsburgh crowd, all right?

M They're good, because we've got other lines

P But Specter -- that's the guy -- in other words you wouldn't be in direct -- you wouldn't need anybody here to watch (unintelligible)?

M We're going to have to have people to do that, but what I've done

P (Unintelligible) you ought to handle that

M Well let me.

P On a real tough job, I would not let them out of your hands.

I don't know whether you can do them all but

M No, I've already decided that in California, Illinois, Ohio, Pennsylvania, New York and New Jersey, that I am going to have a direct line through to the people. The other states we will have these surrogates

P Surrogates.

-23-

M Regional people. Now, what I want is what we've talked about before, it's -- well, use the example of California: If we can get Cap Weinberger, if he's not so far "Hatched" that he can't do it, Cap could be a state desk man or auditor, or whatever you want to call it, somebody with the expertise of politics in California -- can go in and see what's going on up in the Valley under Monagan or what Packard is doing and his people and San Francisco, or what they're doing here there and the next place. I expect to have somebody like that for each of these big states. But I think

P I'm afraid he is "Hatched," but a

M Is he?

P (Unintelligible)

M Cap is a pretty bright able guy and he's been immersed in politics out there as state chairman

P Wonder if we should pull him out of the Budget?

M He gets along with everybody.

H Well, he doesn't want to stay in the Budget.

P I know he doesn't want to stay there. Can we pull him out and put him in an agency. He might be just as good a man as you could find around California.

-24-

M Can he take a leave?

H Just resign.

P Let Carlucci or somebody else be Budget Director if he resigns, and

H After you get a Budget Director.

P I'd have him as full time. George could find somebody

H You've George on top of it.

P George Shultz can run the Budget, (unintelligible). I really think the thing for Cap -- so important that you want him (unintelligible). Illinois?

M Well, we've got, of course, Tom Houser is a good operator and I haven't got anybody yet.

P Pretty good, yeah

M Tom Houser.

P He's Percy's man, you know.

M No.

P No, I meant he was.

M He was.

P I mean his

M He broke with Percy you know when Percy went back on his commitment to vote for you -- or to me to vote for you at the Convention.

-25-

P Well he helps us in the area we needed him (unintelligible)  
and so forth, and Texas?

M And we have

P How does Texas stand?

M We have Al -- we have John Connally.

P (Unintelligible).

M We have Al Topper (phonetically) downstate.

P Oh, good.

M Who is, you know

P (Unintelligible).

M And so -- plus a lot of good regional people -- even a top flight  
guy in the city of Chicago which is a real good politician. In  
Texas, I've been talking to John Connally about it.

P Have you? Good.

M John's feeling is that by the time they get to the Democratic  
Convention he is not even sure that Bentsen or the Lt. Governor

P Barnes

M Ben Barnes or these people should even go to that Convention.  
I guess it's his line. What he is angling for in effect, is keep  
your options open. Don't get tied in with an organization now,  
because you may want to bring

P Texans for Nixon, I know, I know (unintelligible).

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M Well, on the other side of the coin, of course, our Republican friends are getting itchy and I keep telling them to go out and write you some more Republicans -- but they say well, we're going to lose good people to the gubernatorial campaign, etc., etc.

P Let 'em go.

H So what?

P Let them go. They don't -- that doesn't make any difference. Hold it firm. We need Texas Democrats. We don't win Texas -- we haven't won it yet -- but you don't win it with Republicans. We never have. And let's just face it, that's the way the score is. Tower has won it once or twice but -- accidents, pure accidents. (Unintelligible) any Democrat, believe me, by any Democrat (unintelligible) committee of that sort is better. Rather than that fellow who is finance chairman down there. What's his name?

H Al Fay

P Al Fay

M You mean Peter O'Donnell? Peter's left.

H He's left?

M Peter quit. He's (unintelligible) national committee (unintelligible).

H I'll be darned.

M Agnitch is the new national committeeman.

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P Yeah.

H O'Donnell was such a horrible whiner.

P Ohio!

M Ohio we still have the Bliss.

P Bliss is still.

M Situation.

P I think going for the old timer there is a bad idea. What do you think Bob?

H I think it is a good idea.

M Well, we have to, Mr. President -- almost have to -- to keep the Taft forces and the Rhodes forces and the rest of them.

P Well, we've got to go for the young too and the rest, but I guess Bliss is

M Well, Bliss is going to come back to work for me, you see, he wants the recognition.

P Great.

M He's not going to be the guy to come and do the nuts and bolts, but he wants the identification with you and back here to re-establish his

P Let me ask you this. We have these curious reports, which, you've seen these of course, (unintelligible) out of Michigan showing we have a chance in Michigan. Do you think we ought to take a whirl at it or not?



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M We're going to take a whirl at it. We're going to take a whirl at all of them.

P Well (unintelligible) even Minnesota?

M Well, I mean a whirl at them to the point where we're going to organize to the teeth and then when it comes to where you're going to spend the money on your media, your mail, your telephone, and things like that, we'll make the judgment a little further down the line.

P Michigan judgment could be very interesting because if it gets really heated up on busing, if it could, and we're on the one side and they're on the other side, you might win the state on that issue. You agree Bob?

H Sure.

M In addition to that, look what you've done for the automobile industry.

H That was a year ago.

P Well, still

M It still can be sold

P Sold lots of cars

M And, Milliken is all aboard and he's working hard, and we've got a good chairman out there.

- 29 -

P I'd even run -- I'd even have some sort of a campaign on that.  
I'd even do something in Massachusetts. Do you know why?  
Solely because I think it isn't good to let any one area just go  
completely.

M No, you can't, because of its rub off on Vermont.

P (unintelligible)

M We've got an added starter there who wants to be the chairman  
to get out and work and that's the Governor.

P He does?

H Sargeant?

M Why not? He gets

P Won't hurt us!

M He gets on the tube.

H (Unintelligible).

P Well, he's a good liberal fellow.

H He really wants to get in?

M Yep -- and I think we can get it cleared with Brooke and Volpe  
and all the rest of them.

P I think there's a great deal to be said to go for every state.  
You know the line I took with these people -- the governors  
which they all like to hear -- but you take, I was telling Bob  
the other day that in terms of our own plan, of course, we've  
got to look at everything you can without killing ourselves or  
without being over exposed. But, I feel very strongly that

-30-

P Wallace in or out, we ought to hit of the southern states that I ought to get to Georgia, Alabama, Louisiana, and Mississippi, because I think if we can sweep that South and of course Texas is the big question mark (unintelligible).

M Did I tell you about Connally's poll that Barnes ran down there? Shows the President did very well -- quite different from our polls.

P In Texas?

M Yep.

P Our poll shows five points behind.

M With Muskie, yeah.

P Of course that would be

H That was awhile back.

M Quite awhile back. Yeah. But John Connally's impression is that you're in good shape in Texas with or without Wallace.

P Well, that's hard to say (unintelligible).

M Well we don't have that liquor thing down there this year that we had in '68. That was what really did us in.

H (Unintelligible).

P You know (unintelligible) really kicked Muskie in (unintelligible) that Harris Poll showed him slipping in the trial heats. Apparently (unintelligible) something similar (unintelligible).

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M Well, this has a hell of an impact because the press picks it up and drums on it day in day out.

H Especially because he had been (unintelligible).

P (Unintelligible) Gallup (Unintelligible) even, even in February and now (unintelligible).

M When is this coming out?

P I've got to see the Ambassador -- he's leaving -- he's leaving.

M Oh, is he?

H Going home.

P Yep. Well, anyway John. (Voices fade).

H French Ambassador's name is Kosciusko. Figure that one out.

P For your -- I can't tell you too strongly now with regard to the San Diego thing -- got something to do, do it! Cut our losses and get out. But I do think that from a PR standpoint, Bob, at this time we really ought to.

H (Unintelligible) ahead of time.

P To build (unintelligible). Start a fight right now. Play hard (unintelligible) no question.

M As soon as we see any light through it at all.

P I'd start right now.

M Give them the guidelines and put them right on it and let them stay right on it. (Unintelligible).

P John, I would start the fight right now. (voices fade away).

P Well, Mr. Ambassador, (The French Ambassador and

12. The President had no knowledge of an attempt by the White House to cover-up involvement in the Watergate affair. Dean told the President that there were things Dean knew the President had no knowledge of.

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12a Transcript, March 21, 1973, 10:12-11:15 a.m.,	
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*NOTE: Objection has been raised by Congressman Seiberling that the first sentence is a conclusion rather than a statement of information within the Rules of Procedure of the Committee.*

D I know, sir. I can just tell from our conversation that these are things that you have no knowledge of.

P You certainly can! Buggings, etc! Let me say I am keenly aware of the fact Colson, et al., were doing their best to get information as we went along. But they all knew very well they were supposed to comply with the law. There was no question about that! You feel that really the trigger man was really Colson on this then?

D No. He was one of us. He was just in the chain. He helped push the thing.

P All I know about is the time of ITT, he was trying to get something going there because ITT was giving us a bad time.

D I know he used Hunt.

P I knew about that. I didn't know about it, but I knew there was something going on. But I didn't know it was a Hunt.

D What really troubles me is one, will this thing not break some day and the whole thing -- domino situation -- everything starts crumbling, fingers will be pointing. Bob will be accused of things he has never heard of and deny and try to disprove it. It will get real nasty and just be a real bad situation. And the person who will be hurt by it most will be you and the Presidency, and I just don't think --

13. The testimony of Gray before the Senate Select Committee establishes that the origin of the theory of Central Intelligence Agency involvement in the break-in of the DNC was in the FBI and that Gray communicated the theory to Dean on June 22, 1972. Dean confirmed that Gray informed him on June 22, 1972 that one of the FBI theories of the case was that it was a CIA operation and Dean testified that he reported this to Haldeman and Ehrlichman on June 23.

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13b Dean 3 SSC, 943.....	123

*NOTE: Objection has been raised by Congressman Seiberling that the first sentence is a conclusion rather than a statement of information within the Rules of Procedure of the Committee.*

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assist him in his inquiry. I asked Mr. Dean if he would be reporting directly to the President or through Mr. Haldeiman or Mr. Ehrlichman. He informed me that he would be reporting directly to the President.

At this meeting with Mr. Dean there was no discussion of whom we were going to interview or where our leads might take the investigation. We did discuss the scheduling of White House interviews through Mr. Dean and his sitting in on the interviews as counsel to the President.

On Thursday, June 22, 1972, after being briefed by Mr. Charles W. Bates, Assistant Director, General Investigative Division, regarding the latest developments in the *Watergate* case and undoubtedly as a result of information developed at that briefing, I telephoned Director Helms of the CIA. I told him of our thinking that we may be poking into a CIA operation and asked if he could confirm or deny this. He said he had been meeting on this every day with his men, that they knew the people, that they could not figure it out but that there was no CIA involvement.

I met again with Mr. Dean at 6:30 p.m. the same day to again discuss the scheduling of interviews of White House staff personnel and to arrange the scheduling of these interviews directly through the Washington field office rather than through FBI headquarters. At this meeting I also discussed with him our very early theories of the case; namely, that the episode was either a CIA covert operation of some sort simply because some of the people involved had been CIA people in the past, or a CIA money chain, or a political money chain, or a pure political operation, or a Cuban right wing operation, or a combination of any of these. I also told Mr. Dean that we were not zeroing in on any one theory at this time, or excluding any, but that we just could not see any clear reason for this burglary and attempted intercept of communications operation.

I believe that it was at this meeting on June 22 that I told him of our discovery of a bank account in the name of Bernard Barker, who was arrested in the *Watergate* burglary, and the fact that a \$25,000 check associated with Kenneth Dahlberg and four checks drawn on a Mexican bank payable to Manuel Ogarrio, in the total amount of \$89,000, were deposited in the Barker account. I do not have a clear memory of telling him about my telephone call earlier in the day to Director Helms regarding the question of CIA involvement. It is likely that I would have discussed the Helms call with him in connection with our discussion of the theories of the case, since Mr. Helms had informed me that there was no CIA involvement.

On Friday, June 23, 1972, Mr. Bates met with me again to brief me on recent developments. I telephoned Mr. Dean following my meeting with Mr. Bates. I am quite certain that this call again involved the Barker bank account and the Ogarrio and Dahlberg checks. Either in this call or in the meeting of the preceding evening Mr. Dean first raised with me the idea that if we persisted in our efforts to investigate this Mexican money chain we could uncover or become involved in CIA operations. I remember telling Mr. Dean in one of these early telephone calls or meetings that the FBI was going to pursue all leads aggressively unless we were told by the CIA that there was a CIA interest or involvement in this case.



told—and I do not recall specifically who told me this—that this money had absolutely nothing to do with the Watergate; it was unrelated and it was merely a coincidence of fact that Liddy had used Barker to cash the checks and Liddy had returned the money to Sloan. I was told that the investigation of this matter which appeared to be connected with Watergate but wasn't, was unfounded and would merely result in an unnecessary embarrassment to the contributors. Accordingly, Mitchell and Stans both asked me to see if there was anything the White House could do to prevent this unnecessary embarrassment. I, in turn, related these facts to both Haldeman and Ehrlichman. On June 22, at the request of Ehrlichman and Haldeman I went to see Mr. Gray at this office in the early evening to discuss the Dahlberg and Mexican checks and determine how the FBI was proceeding with these matters. Mr. Gray told me that they were pursuing it by seeking to interview the persons who had drawn the checks.

It was during my meeting with Mr. Gray on June 22 that we also talked about his theories of the case as it was beginning to unfold. I remember well that he drew a diagram for me showing his theories. At that time Mr. Gray had the following theories: It was a setup job by a double agent; it was a CIA operation because of the number of former CIA people involved; or it was someone in the reelection committee who was responsible. Gray also had some other theories which he discussed; but I do not recall them now, but I do remember that those I have mentioned were his primary theories.

Before the meeting ended, I recall that Gray and I again had a brief discussion of the problems of an investigation in the White House. Gray expressed his awareness of the potential problems of such an investigation and also told me that if I needed any information I should call either Mark Felt or himself. Gray also informed me that he was going to meet with the CIA to discuss their possible involvement and he would let me know the outcome of that meeting.

On June 23 I reported my conversation with Gray of the preceding evening to Ehrlichman and Haldeman. We discussed the Dahlberg and the Mexican checks and the fact that the FBI was looking for answers regarding these checks. I had the impression that either Ehrlichman or Haldeman might have had a conversation with someone else about this matter but this was mere speculation on my part at that time.

Within the first days of my involvement in the coverup, a pattern had developed where I was carrying messages from Mitchell, Stans, and Mardian to Ehrlichman and Haldeman—and vice versa—about how each quarter was handling the coverup and relevant information as to what was occurring. I was also reporting to them all the information I was receiving about the case from the Justice Department and the FBI. I checked with Haldeman and Ehrlichman before I did anything. One of the few sets of early documents evidencing this working relationship with Haldeman and Ehrlichman relates to responding to Larry O'Brien's letter of June 24 to the President requesting the appointment of a special prosecutor. I have submitted these documents to the committee.

[The documents referred to were marked exhibit No. 34-17.\*]

\*See p. 1161.



14. Haldeman's testimony before the Senate Select Committee confirms that Dean reported to him the FBI's concern about CIA involvement, and that Haldeman in turn reported this to the President, who ordered Haldeman and Ehrlichman to meet with the CIA officials to insure that the FBI investigation not expose any unrelated covert operation of the CIA. The uncertainty regarding the possibility of uncovering CIA activities was recognized in a memo dated June 28, 1972 from Helms to Walters.

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is that the President was not directly involved himself and he was not told by anyone until March when he intensified his own investigation. Even then, he was given conflicting and unverified reports that made it impossible to determine the precise truth regarding Watergate or the coverup and, at the outset at least, he was relying primarily on one man, John Dean, who has admitted that he was a major participant in the illegal and improper coverup, a fact unknown to the President until March 1973.

Any attempt on my part at this time to try to identify those who participated in, directed, or knew of the illegal coverup would of necessity be based totally on hearsay.

#### CONTAINMENT

There was a concern at the White House that activities which had been in no way related to Watergate or to the 1972 political campaign, and which were in the area of national security, would be compromised in the process of the Watergate investigation and the attendant publicity and political furor. The recent public disclosure of the FBI wiretaps on press and NSC personnel, the details of the Plumbers operations, and so on, fully justifies that concern.

As a result of this concern and the FBI's request through Pat Gray to John Dean for guidance regarding some aspects of the Watergate investigation, because of the possibility of CIA involvement, the President directed John Ehrlichman and me to meet with the Director and Deputy Director of the CIA on June 23. We did so and ascertained from them that there had not been any CIA involvement in the Watergate affair and that there was no concern on the part of Director Helms as to the fact that some of the Watergate participants had been involved in the Bay of Pigs operations of the CIA. We discussed the White House concern regarding possible disclosure of non-Watergate-related covert CIA operations or other nonrelated national security activities that had been undertaken previously by some of the Watergate participants, and we requested Deputy Director Walters to meet with Director Gray of the FBI to express these concerns and to coordinate with the FBI, so that the FBI's area of investigation of the Watergate participants not be expanded into unrelated matters which could lead to disclosures of earlier national security or CIA activities.

Walters agreed to meet with Gray as requested. I do not recall having any other communication, or meeting, with Walters, Helms, or Gray on this subject. I did not, at this meeting, or at any other time, ask the CIA to participate in any Watergate coverup, nor did I ever suggest that the CIA take any responsibility for the Watergate break-in. I believe that the action I took with the CIA was proper, according to the President's instructions, and clearly in the national interest.

There were a number of newspaper stories and allegations raised during the period following the Watergate break-in that posed new questions regarding the facts of Watergate or related matters. Whenever any such questions arose, the President would again ask that the facts be ascertained and made known publicly as completely and quickly as possible, but there always seemed to be some reason why

EYES ONLY

DV


28 June 1972

MEMORANDUM FOR: Deputy Director  
SUBJECT: Watergate Affair

1. Acting Director Gray of the FBI 'phoned me this morning to cancel our meeting scheduled for 2:30 this afternoon. He indicated that he would not be able to get together until next week. I informed him that I would be away but that you would be available with and for any such meeting. I did, however, use the opportunity of this call to make two points to Acting Director Gray: 1) That I would appreciate his calling off interviews with Karl Wagner and John Caswell (this he agreed to do); and 2) that Kenneth Harry Dahlberg was no agent of the CIA and that we had no ties to him. I stated that our last verifiable contact with him was in May 1961. Acting Director Gray confirmed that this is the same Kenneth Dahlberg about whom he was inquiring as soon as I identified the gentleman as the President of Dahlberg Company in Minneapolis.

2. I informed and this morning, in preparation for the scheduled meeting this afternoon, that the Agency is attempting to "distance itself" from this investigation and that I wanted them along as "reference files" to participate in the conversation when requested. I told them that I wanted no free-wheeling exposition of hypotheses or any effort made to conjecture about responsibility or likely objectives of the Watergate intrusion. "In short, at such a meeting, it is up to the FBI to lay some cards on the table. Otherwise, we are unable to be of help. In addition, we still adhere to the request that they confine themselves to the personalities already arrested or directly under suspicion and that they desist from expanding this investigation into other areas which may well, eventually, run afoul of our operations."

3. This brings you up-to-date as of 3:00, 28 June.

  
Richard Helms  
Director



15. The President stated on May 22, 1973, that it did seem possible to him that because of the involvement of former CIA personnel, the investigation could lead to the uncovering of covert CIA operations totally unrelated to the Watergate break-in. The President stated he was also concerned that the Watergate investigation might lead to an inquiry into the activities of the Special Investigations Unit. Gray testified that on July 6, 1972, the President told him to continue to conduct his aggressive and thorough investigation of the Watergate affair.

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inzig, who is now an associate judge of the U.S. Court of Claims.

Mr. Sampson has been Acting Administrator of General Services since June 2, 1972. He joined the General Services Administration in 1969 as Commissioner of the Federal Supply Service. From 1970 to 1972 he was Commissioner of the Public Buildings Service in GSA and the first Deputy Administrator of GSA for Special Projects.

He came to the General Services Administration after 6 years in Pennsylvania State government, where he was secretary of administration and budget secretary under Gov. Raymond P. Shafer, and deputy secretary for procurement, department of property and supplies, under Gov. William W. Scranton. Prior to entering government service, he was employed by the General Electric Co. for 12 years.

Mr. Sampson was born on October 8, 1926, in Warren, R.I. He received his B.S. degree in business administration from the University of Rhode Island in 1951 and has done graduate work at the George Washington University.

Active in several professional organizations, Mr. Sampson was presented the Synergy III Award for outstanding contributions toward the advancement of architecture by the Society of American Registered Architects in 1972.

1973 he was selected as one of the Top Ten Public Works Men of the Year, and he was named an honorary member of the American Institute of Architects.

He and his wife, Blanche, have four children and reside in Washington, D.C.

NOTE: For the President's statement upon announcing his intention to nominate Mr. Sampson, see the preceding item.

I will not abandon my responsibilities. I will continue to do the job I was elected to do.

In the accompanying statement, I have set forth the facts as I know them as they relate to my own role.

With regard to the specific allegations that have been made, I can and do state categorically:

1. I had no prior knowledge of the Watergate operation.
2. I took no part in, nor was I aware of, any subsequent efforts that may have been made to cover up Watergate.
3. At no time did I authorize any offer of executive clemency for the Watergate defendants, nor did I know of any such offer.
4. I did not know, until the time of my own investigation, of any effort to provide the Watergate defendants with funds.
5. At no time did I attempt, or did I authorize others to attempt, to implicate the CIA in the Watergate matter.
6. It was not until the time of my own investigation that I learned of the break-in at the office of Mr. Ellsberg's psychiatrist, and I specifically authorized the furnishing of this information to Judge Byrne.
7. I neither authorized nor encouraged subordinates to engage in illegal or improper campaign tactics.

In the accompanying statement, I have sought to provide the background that may place recent allegations in perspective. I have specifically stated that executive privilege will not be invoked as to any testimony concerning possible criminal conduct or discussions of possible criminal conduct, in the matters under investigation. I want the public to learn the truth about Watergate and those guilty of any illegal actions brought to justice.

## The Watergate Investigation

### *Statements by the President. May 22, 1973*

Recent news accounts growing out of testimony in the Watergate investigations have given grossly misleading impressions of many of the facts, as they relate both to my own role and to certain unrelated activities involving national security.

Already, on the basis of second- and third-hand hearsay testimony by persons either convicted or themselves under investigation in the case, I have found myself accused of involvement in activities I never heard of until I read about them in news accounts.

These impressions could also lead to a serious misunderstanding of those national security activities which, though wholly unrelated to Watergate, have become entangled in the case. They could lead to further compromise of sensitive national security information.

Allegations surrounding the Watergate affair have so escalated that I feel a further statement from the President is required at this time.

A climate of sensationalism has developed in which even second- or third-hand hearsay charges are headlined as fact and repeated as fact.

Important national security operations which themselves had no connection with Watergate have become entangled in the case.

As a result, some national security information has already been made public through court orders, through the subpoenaing of documents, and through testimony witnesses have given in judicial and Congressional proceedings. Other sensitive documents are now threatened with disclosure. Continued silence about those operations would compromise rather than protect them, and would also serve to perpetuate a grossly distorted view—which recent partial disclosures have given—of the nature and purpose of those operations.



The purpose of this statement is threefold:

—First, to set forth the facts about my own relationship to the Watergate matter;

—Second, to place in some perspective some of the more sensational—and inaccurate—of the charges that have filled the headlines in recent days, and also some of the matters that are currently being discussed in Senate testimony and elsewhere;

—Third, to draw the distinction between national security operations and the Watergate case. To put the other matters in perspective, it will be necessary to describe the national security operations first.

In citing these national security matters, it is not my intention to place a national security "cover" on Watergate, but rather to separate them out from Watergate—and at the same time to explain the context in which certain actions took place that were later misconstrued or misused.

Long before the Watergate break-in, three important national security operations took place which have subsequently become entangled in the Watergate case.

—The first operation, begun in 1969, was a program of wiretaps. All were legal, under the authorities then existing. They were undertaken to find and stop serious national security leaks.

—The second operation was a reassessment, which I ordered in 1970, of the adequacy of internal security measures. This resulted in a plan and a directive to strengthen our intelligence operations. They were protested by Mr. Hoover, and as a result of his protest they were not put into effect.

—The third operation was the establishment, in 1971, of a Special Investigations Unit in the White House. Its primary mission was to plug leaks of vital security information. I also directed this group to prepare an accurate history of certain crucial national security matters which occurred under prior administrations, on which the Government's records were incomplete.

Here is the background of these three security operations initiated in my Administration.

#### 1969 WIRETAPS

By mid-1969, my Administration had begun a number of highly sensitive foreign policy initiatives. They were aimed at ending the war in Vietnam, achieving a settlement in the Middle East, limiting nuclear arms, and establishing new relationships among the great powers. These involved highly secret diplomacy. They were closely inter-related. Leaks of secret information about any one could endanger all.

Exactly that happened. News accounts appeared in 1969, which were obviously based on leaks—some of them extensive and detailed.

initiatives unless further leaks could be prevented. This required finding the source of the leaks.

In order to do this, a special program of wiretaps was instituted in mid-1969 and terminated in February 1971. Fewer than 20 taps, of varying duration, were involved. They produced important leads that made it possible to tighten the security of highly sensitive materials. I authorized this entire program. Each individual tap was undertaken in accordance with procedures legal at the time and in accord with longstanding precedent.

The persons who were subject to these wiretaps were determined through coordination among the Director of the FBI, my Assistant for National Security Affairs, and the Attorney General. Those wiretapped were selected on the basis of access to the information leaked, material in security files, and evidence that developed as the inquiry proceeded.

Information thus obtained was made available to senior officials responsible for national security matters in order to curtail further leaks.

#### THE 1970 INTELLIGENCE PLAN

In the spring and summer of 1970, another security problem reached critical proportions. In March a wave of bombings and explosions struck college campuses and cities. There were 400 bomb threats in one 24-hour period in New York City. Rioting and violence on college campuses reached a new peak after the Cambodian operation and the tragedies at Kent State and Jackson State. The 1969-70 school year brought nearly 1,800 campus demonstrations and nearly 250 cases of arson on campus. Many colleges closed. Gun battles between guerrilla-style groups and police were taking place. Some of the disruptive activities were receiving foreign support.

Complicating the task of maintaining security was the fact that, in 1966, certain types of undercover FBI operations that had been conducted for many years had been suspended. This also had substantially impaired our ability to collect foreign intelligence information. At the same time, the relationships between the FBI and other intelligence agencies had been deteriorating. By May 1970, FBI Director Hoover shut off his agency's liaison with the CIA altogether.

On June 5, 1970, I met with the Director of the FBI (Mr. Hoover), the Director of the Central Intelligence Agency (Mr. Richard Helms), the Director of the Defense Intelligence Agency (Gen. Donald V. Bennett), and the Director of the National Security Agency (Admiral Gayler). We discussed the urgent need for better intelligence operations. I appointed Director Hoover chairman of an interagency committee to prepare recommendations.

memorandum of the options approved. After reconsideration, however, prompted by the opposition of Director Hoover, the agencies were notified 5 days later, on July 28, that the approval had been rescinded. The options initially approved had included resumption of certain intelligence operations which had been suspended in 1966. These in turn had included authorization for surreptitious entry—breaking and entering, in effect—on specified categories of targets in specified situations related to national security.

Because the approval was withdrawn before it had been implemented, the net result was that the plan for expanded intelligence activities never went into effect.

The documents spelling out this 1970 plan are extremely sensitive. They include—and are based upon—assessments of certain foreign intelligence capabilities and procedures, which of course must remain secret. It was this unused plan and related documents that John Dean removed from the White House and placed in a safe deposit box, giving the keys to Judge Sirica. The same plan, still unused, is being headlined today.

Coordination among our intelligence agencies continued to fall short of our national security needs. In July 1970, having earlier discontinued the FBI's liaison with the CIA, Director Hoover ended the FBI's normal liaison with all other agencies except the White House. To help remedy this, an Intelligence Evaluation Committee was created in December 1970. Its members included representatives of the White House, CIA, FBI, NSA, the Departments of Justice, Treasury, and Defense, and the Secret Service.

The Intelligence Evaluation Committee and its staff were instructed to improve coordination among the intelligence community and to prepare evaluations and estimates of domestic intelligence. I understand that its activities are now under investigation. I did not authorize nor do I have any knowledge of any illegal activity by this Committee. If it went beyond its charter and did engage in any illegal activities, it was totally without my knowledge or authority.

#### THE SPECIAL INVESTIGATIONS UNIT

On Sunday, June 13, 1971, The New York Times published the first installment of what came to be known as "The Pentagon Papers." Not until a few hours before publication did any responsible Government official know that they had been stolen. Most officials did not know they existed. No senior official of the Government had read them or knew with certainty what they contained.

All the Government knew, at first, was that the papers comprised 47 volumes and some 7,000 pages, which had been taken from the most sensitive files of the Departments of State and Defense and the CIA, covering military and

Moreover, a majority of the documents published with the first three installments in The Times had not been included in the 47-volume study—raising serious questions about what and how much else might have been taken.

There was every reason to believe this was a security leak of unprecedented proportions.

It created a situation in which the ability of the Government to carry on foreign relations even in the best of circumstances could have been severely compromised. Other governments no longer knew whether they could deal with the United States in confidence. Against the background of the delicate negotiations the United States was then involved in on a number of fronts—with regard to Vietnam, China, the Middle East, nuclear arms limitations, U.S.—Soviet relations, and others—in which the utmost degree of confidentiality was vital, it posed a threat so grave as to require extraordinary actions.

Therefore during the week following the Pentagon Papers publication, I approved the creation of a Special Investigations Unit within the White House—which later came to be known as the "plumbers." This was a small group at the White House whose principal purpose was to stop security leaks and to investigate other sensitive security matters. I looked to John Ehrlichman for the supervision of this group.

Egil Krogh, Mr. Ehrlichman's assistant, was put in charge. David Young was added to this unit, as were E. Howard Hunt and G. Gordon Liddy.

The unit operated under extremely tight security rules. Its existence and functions were known only to a very few persons at the White House. These included Messrs. Haldeman, Ehrlichman, and Dean.

At about the time the unit was created, Daniel Ellsberg was identified as the person who had given the Pentagon Papers to The New York Times. I told Mr. Krogh that as a matter of first priority, the unit should find out all it could about Mr. Ellsberg's associates and his motives. Because of the extreme gravity of the situation, and not then knowing what additional national secrets Mr. Ellsberg might disclose, I did impress upon Mr. Krogh the vital importance to the national security of his assignment. I did not authorize and had no knowledge of any illegal means to be used to achieve this goal.

However, because of the emphasis I put on the crucial importance of protecting the national security, I can understand how highly motivated individuals could have felt justified in engaging in specific activities that I would have disapproved had they been brought to my attention.

Consequently, as President, I must and do accept responsibility for such actions despite the fact that I at no time approved or had knowledge of them.

I also assigned the unit a number of other investigatory matters, dealing in part with compiling an accurate record of events related to the Vietnam war, on which the

records having been removed with the change of administrations) and which bore directly on the negotiations then in progress. Additional assignments included tracing down other national security leaks, including one that seriously compromised the U.S. negotiating position in the SALT talks.

The work of the unit tapered off around the end of 1971. The nature of its work was such that it involved matters that, from a national security standpoint, were highly sensitive then and remain so today.

These intelligence activities had no connection with the break-in of the Democratic headquarters, or the aftermath.

I considered it my responsibility to see that the Watergate investigation did not impinge adversely upon the national security area. For example, on April 18, 1973, when I learned that Mr. Hunt, a former member of the Special Investigations Unit at the White House, was to be questioned by the U.S. Attorney, I directed Assistant Attorney General Petersen to pursue every issue involving Watergate but to confine his investigation to Watergate and related matters and to stay out of national security matters. Subsequently, on April 23, 1973, Attorney General Kleindienst informed me that because the Government had clear evidence that Mr. Hunt was involved in the break-in of the office of the psychiatrist who had treated Mr. Ellsberg, he, the Attorney General, believed that despite the fact that no evidence had been obtained from Hunt's acts, a report should nevertheless be made to the court trying the Ellsberg case. I concurred, and directed that the information be transmitted to Judge Byrne immediately.

#### WATERGATE

The burglary and bugging of the Democratic National Committee headquarters came as a complete surprise to me. I had no inkling that any such illegal activities had been planned by persons associated with my campaign; if I had known, I would not have permitted it. My immediate reaction was that those guilty should be brought to justice, and, with the five burglars themselves already in custody, I assumed that they would be.

Within a few days, however, I was advised that there was a possibility of CIA involvement in some way.

It did seem to me possible that, because of the involvement of former CIA personnel, and because of some of their apparent associations, the investigation could lead to the uncovering of covert CIA operations totally unrelated to the Watergate break-in.

In addition, by this time, the name of Mr. Hunt had surfaced in connection with Watergate, and I was alerted the fact that he had previously been a member of the Special Investigations Unit in the White House. Therefore, I was also concerned that the Watergate investigation might well lead to an inquiry into the activities of the Special Investigations Unit itself.

In this area, I felt it was important to avoid disclosure of the details of the national security matters with which the group was concerned. I knew that once the existence of the group became known, it would lead inexorably to a discussion of these matters, some of which remain, even today, highly sensitive.

I wanted justice done with regard to Watergate; but in the scale of national priorities with which I had to deal—and not at that time having any idea of the extent of political abuse which Watergate reflected—I also had to be deeply concerned with ensuring that neither the covert operations of the CIA nor the operations of the Special Investigations Unit should be compromised. Therefore, I instructed Mr. Haldeman and Mr. Ehrlichman to ensure that the investigation of the break-in not expose either an unrelated covert operation of the CIA or the activities of the White House investigations unit—and to see that this was personally coordinated between General Walters, the Deputy Director of the CIA, and Mr. Gray of the FBI. It was certainly not my intent, nor my wish, that the investigation of the Watergate break-in or of related acts be impeded in any way.

On July 6, 1972, I telephoned the Acting Director of the FBI, L. Patrick Gray, to congratulate him on his successful handling of the hijacking of a Pacific Southwest Airlines plane the previous day. During the conversation Mr. Gray discussed with me the progress of the Watergate investigation, and I asked him whether he had talked with General Walters. Mr. Gray said that he had, and that General Walters had assured him that the CIA was not involved. In the discussion, Mr. Gray suggested that the matter of Watergate might lead higher. I told him to press ahead with his investigation.

It now seems that later, through whatever complex of individual motives and possible misunderstandings, there were apparently wide-ranging efforts to limit the investigation or to conceal the possible involvement of members of the Administration and the campaign committee.

I was not aware of any such efforts at the time. Neither, until after I began my own investigation, was I aware of any fundraising for defendants convicted of the break-in at Democratic headquarters, much less authorize any such fundraising. Nor did I authorize any offer of executive clemency for any of the defendants.

In the weeks and months that followed Watergate, I asked for, and received, repeated assurances that Mr. Dean's own investigation (which included reviewing files and sitting in on FBI interviews with White House personnel) had cleared everyone then employed by the White House of involvement.

In summary, then:

- (1) I had no prior knowledge of the Watergate fundraising operation, or of any illegal surveillance activities for political purposes.
- (2) Long prior to the 1972 campaign, I did set in motion certain internal security measures, including legal

wiretaps, which I felt were necessary from a national security standpoint and, in the climate then prevailing, also necessary from a domestic security standpoint.

(3) People who had been involved in the national security operations later, without my knowledge or approval, undertook illegal activities in the political campaign of 1972.

(4) Elements of the early post-Watergate reports led me to suspect, incorrectly, that the CIA had been in some way involved. They also led me to surmise, correctly, that since persons originally recruited for covert national security activities had participated in Watergate, an unrestricted investigation of Watergate might lead to and expose those covert national security operations.

(5) I sought to prevent the exposure of these covert national security activities, while encouraging those conducting the investigation to pursue their inquiry into the Watergate itself. I so instructed my staff, the Attorney General, and the Acting Director of the FBI.

(6) I also specifically instructed Mr. Haldeman and Mr. Ehrlichman to ensure that the FBI would not carry its investigation into areas that might compromise these covert national security activities, or those of the CIA.

(7) At no time did I authorize or know about any offer of executive clemency for the Watergate defendants. Neither did I know until the time of my own investigation of any efforts to provide them with funds.

#### CONCLUSION

With hindsight, it is apparent that I should have given more heed to the warning signals I received along the way about a Watergate cover-up and less to the reassurances.

With hindsight, several other things also become clear:

—With respect to campaign practices, and also with respect to campaign finances, it should now be obvious that no campaign in history has ever been subjected to the kind of intensive and searching inquiry that has been focused on the campaign waged in my behalf in 1972.

It is clear that unethical, as well as illegal, activities took place in the course of that campaign.

None of these took place with my specific approval or knowledge. To the extent that I may in any way have contributed to the climate in which they took place, I did not intend to; to the extent that I failed to prevent them, I should have been more vigilant.

It was to help ensure against any repetition of this in the future that last week I proposed the establishment of a top-level, bipartisan, independent commission to recommend a comprehensive reform of campaign laws and practices. Given the priority I believe it deserves, such reform should be possible before the next Congressional elections in 1974.

—It now appears that there were persons who may have gone beyond my directives, and sought to expand on

my efforts to protect the national security operations in order to cover up any involvement they or certain others might have had in Watergate. The extent to which this is true, and who may have participated and to what degree, are questions that it would not be proper to address here. The proper forum for settling these matters is in the courts.

—To the extent that I have been able to determine what probably happened in the tangled course of this affair, on the basis of my own recollections and of the conflicting accounts and evidence that I have seen, it would appear that one factor at work was that at critical points various people, each with his own perspective and his own responsibilities, saw the same situation with different eyes and heard the same words with different ears. What might have seemed insignificant to one seemed significant to another; what one saw in terms of public responsibility, another saw in terms of political opportunity; and mixed through it all, I am sure, was a concern on the part of many that the Watergate scandal should not be allowed to get in the way of what the Administration sought to achieve.

The truth about Watergate should be brought out—in an orderly way, recognizing that the safeguards of judicial procedure are designed to find the truth, not to hide the truth.

With his selection of Archibald Cox—who served both President Kennedy and President Johnson as Solicitor General—as the special supervisory prosecutor for matters related to the case, Attorney General-designate Richardson has demonstrated his own determination to see the truth brought out. In this effort he has my full support.

Considering the number of persons involved in this case whose testimony might be subject to a claim of executive privilege, I recognize that a clear definition of that claim has become central to the effort to arrive at the truth.

Accordingly, executive privilege will not be invoked as to any testimony concerning possible criminal conduct or discussions of possible criminal conduct, in the matters presently under investigation, including the Watergate affair and the alleged cover-up.

I want to emphasize that this statement is limited to my own recollections of what I said and did relating to security and to the Watergate. I have specifically avoided any attempt to explain what other parties may have said and done. My own information on those other matters is fragmentary, and to some extent contradictory. Additional information may be forthcoming of which I am unaware. It is also my understanding that the information which has been conveyed to me has also become available to those prosecuting these matters. Under such circumstances, it would be prejudicial and unfair of me to state my opinions on the activities of others; these judgments must be left to the judicial process, our best hope for achieving the just result that we all seek.

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for any one man or group of men to control an FBI investigation even if one wished to do so.

After General Walters left the office I sat at my desk quietly and mulled over our conversation. I was confused, uncertain and uneasy. I was concerned enough to believe that the President would be informed.

I decided to call Clark MacGregor to request that he inform the President of what I would tell him. I decided on Mr. MacGregor because I knew he was close to the President and had his confidence.

At 10:51 a.m., Thursday, July 6, 1972, I spoke to Mr. MacGregor at San Clemente, Calif., via White House switchboard and I told him that Dick Walters and I were uneasy and concerned about the confusion that existed over the past 2 weeks in determining with certainty whether there was or was not CIA interest in people that the FBI wishes to interview in connection with the Watergate investigation. These, of course, are not my exact words but they do express the thoughts that I conveyed to him.

Again, although these are not the exact words, I also conveyed to him the thought that I felt that people on the White House staff were careless and indifferent in their use of the CIA and the FBI. I also expressed the thought that this activity was injurious to the CIA and the FBI, and that these White House staff people were wounding the President.

I asked if he would please inform the President, and it is by best recollection that he said he would handle it.

Thirty-seven minutes later, at 11:28 a.m. on Thursday, July 6, 1972, the President called me. He expressed his congratulations to the FBI and asked that I express his congratulations to the agents in San Francisco who successfully terminated a hijacking there the previous day. I thanked the President and then said to him, and to the very best of my recollection these are the words:

Mr. President, there is something I want to speak to you about.

Dick Walters and I feel that people on your staff are trying to mortally wound you by using the CIA and FBI and by confusing the question of CIA interest in, or not in, people the FBI wishes to interview.

I have just talked to Clark MacGregor and asked him to speak to you about this.

There was a slight pause and the President said, "Pat, you just continue to conduct your aggressive and thorough investigation."

Following this conversation I experienced no further concerns of this kind. I believed that if there was anything to the concerns I expressed to the President or to Mr. MacGregor that I would hear further in the matter. I did not. Frankly, I came to the conclusion that General Walters and I had been alarmists, a belief I held for many months.

General Walters came to my office again on July 12, 1972. At this meeting he apparently gave me a memorandum which, I am now informed, contained information to the effect that the CIA furnished certain aliases to Liddy and Hunt and certain paraphernalia to Hunt. Until I briefly saw a copy of this memorandum this spring in the offices of the U.S. Attorney for the District of Columbia containing a notation of its receipt in my handwriting, I had no recollection of this memorandum. I still do not recall noting its contents at the time.



16. The President indicated that he was unaware that Gray had destroyed documents found in Hunt's safe when told by Henry Peterson on April 17, 1973.

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HP Yes sir - I'll tell you what happened. He said he met with Ehrlichman - in Ehrlichman's office - Dean was there and they told him they had some stuff in Hunt's office that was utterly unrelated to the Watergate Case. They gave him two manilla envelopes that were sealed. He took them. He says, they said get rid of them. Dean doesn't say that. Dean says I didn't want to get rid of them so I gave them to Gray. But in any event, Gray took them back, and I said Pat where are they, and he said I burned them. And I said -

P He burned them?

HP I said that's terrible.

P Unrelated - only thing he can say was - he did it because it was political stuff I suppose?

HP Well, you know, the cynics are not going to believe it was unrelated.

P Oh yes of course.

HP I said, did you read it?

P Who handed it to him, Dean? Who knows the contents?

HP Dean and Ehrlichman. Dean -- Gray says he never looked at it - never read it.

P Did Dean? - did we ask Dean what the contents were?

HP I didn't ask Dean because he said it was -



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HP We're going to go back to him again.

P (Inaudible). I'll get you out of here. (Inaudible) yet.

HP By the way Mr. President, I think that.

P (Inaudible) evidence -- not evidence? (Inaudible) explain that the evidence was not evidence -- is that right? The stuff out of his safe?

HP Well -- that's.

P What would you get after him on this -- destruction of evidence?

HP Well you see the point of it is -- there are two other items that -- according to the defense -- Hunt's defense -- that were missing. Both of which were notebooks.

P Hunt's notebooks?

HP And we can't find those notebooks. Dean says, Fielding says, and Kehrli says, they have no recollection of those notebooks.

P Yeah.

HP Hunt says they were there, and --

P So --

HP So only to the extent that the notebooks are missing which Hunt says they're germane.

P (Inaudible) doe he tell us very much, huh?

HP No sir



17. Dean did not disclose until November 2, 1973, while being questioned by attorneys of the Special Prosecutor's office, that he had personally destroyed documents from Hunt's safe.

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[ P R O C E E D I N G S ]

THE DEPUTY CLERK: Criminal Action No. 1827-72,  
United States of America versus E. Howard Hunt, James W. McCord,  
Bernard L. Barker, Eugenio R. Martinez, Frank A. Sturgis and  
Virgilio R. Gonzalez.

Mr. Philip Lacovara and Mr. Richard Ben-Veniste,  
counsel for the government.

Mr. Sidney Sacks, counsel for Mr. Hunt.

Mr. Bernard L. Fensterwald, counsel for Mr. McCord.

Mr. Daniel E. Shultz, counsel for Messrs. Barker,  
Martinez, Sturgis and Gonzalez.

THE COURT: Mr. Shultz --

MR. SHULTZ: Yes, Your Honor.

THE COURT: As to the defendants whom you represent,  
do you waive their right to be present here today?

MR. SHULTZ: Yes, I do, Your Honor.

THE COURT: Mr. Shultz, I will hear you with reference  
to the motion filed by your clients to withdraw their pleas of  
guilty. I will allow you one half-hour and then I will allow  
the Government one half-hour to answer.

MR. BEN-VENISTE: May I make a brief statement of  
facts?

THE COURT: Yes.

MR. BEN-VENISTE: Your Honor, this is in connection  
with the motion made by the defendant Hunt and it relates to

evidence which has recently come into our possession from John H. Dean III. As you know, Your Honor, Mr. Dean pleaded guilty on October 19th before this Court and following that time we had occasion to interview him from time to time but the developments over the last few weeks inhibited us to some extent from doing that as thoroughly as we would like. However last Friday, while we were in Court, members of our staff interviewed Mr. Dean and questioned him with respect to the contents of Mr. Hunt's safe. This was the first occasion on which members of the Special Prosecution Force had the opportunity to question him about this matter. Mr. Dean related that at some time in late January, 1973, he discovered a file folder in his office containing the President's estate plan, two cloth-bound notebooks with cardboard covers and lined pages containing some handwriting. Dean at that time recalled that these had come from Howard Hunt's safe. Dean did not look at the contents and cannot recall what might have been in them. He assumed it related to the Ellsberg break-in. He shredded both notebooks in his shredder.

At the same time he also discovered a pop-up address book containing some names with each page x'd out in ink. Dean threw this pop-up notebook into the waste basket at the time.

These are facts, of course, which defense counsel should know about. We are apprising the Court of them at this time for that purpose. It is our belief that this does not add



18.       The President was unaware prior to March 21, 1973, that Magruder and Porter perjured themselves to a grand jury. On April 17, 1973, the President advised Ehrlichman and Haldeman against perjury.

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*NOTE: Objection has been raised by Congresswoman Holtzman and Congressman Seiberling that the first sentence is a conclusion rather than a statement of information within the Rules of Procedure of the Committee.*

D From Magruder, long after the fact.

P Magruder is (unintelligible)

D Yeah. Magruder is totally knowledgeable on the whole thing.

P Yeah.

D Alright now, we have gone through the trial. I don't know if Mitchell has perjured himself in the Grand Jury or not.

P Who?

D Mitchell. I don't know how much knowledge he actually had. I know that Magruder has perjured himself in the Grand Jury. I know that Porter has perjured himself in the Grand Jury.

P Who is Porter? (unintelligible)

D He is one of Magruder's deputies. They set up this scenario which they ran by me. They said, "How about this?" I said, "I don't know. If this is what you are going to hang on, fine."

P What did they say in the Grand Jury?

D They said, as they said before the trial in the Grand Jury, that Liddy had come over as Counsel and we knew he had these capacities to do legitimate intelligence. We had no idea what he was doing. He was given an authorization of \$250,000 to collect information, because our surrogates were out on the road. They had no protection, and we had information that there were going to be demonstrations against them, and that we had to have a plan as to what liabilities they



were going to be confronted with and Liddy was charged with doing this. We had no knowledge that he was going to bug the DNC.

P The point is, that is not true?

D That's right.

P Magruder did know it was going to take place?

D Magruder gave the instructions to be back in the DNC.

P He did?

D Yes.

P You know that?

D Yes.

P I see. O.K.

D I honestly believe that no one over here knew that. I know that as God is my maker, I had no knowledge that they were going to do this.

P Bob didn't either, or wouldn't have known that either. You are not the issue involved. Had Bob known, he would be.

D Bob -- I don't believe specifically knew that they were going in there.

P I don't think so.

D I don't think he did. I think he knew that there was a capacity to do this but he was not given the specific direction.

P Did Strachan know?

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H month. He's been --

P I called him this morning and told him I wanted to  
talk to him later to ask him about that appointment  
June 19, but I don't think I better get into that  
any more.

E I don't either.

P And, and he's going to give me some song and dance.

E . Well (unintelligible) for your private information, I have  
gone back to the participants in that meeting where I  
was supposed to have said, "send Hunt out of the country."  
To a man, they say it didn't happen. And two of them  
said, "Gee if either one of them --"

P What about the meeting?

E And they said, "If that had happened, it would have been  
burned into my recollection." The sort of thing like  
you ordering --

P You better damned well remember being -- The main  
thing is this, John, and when you meet with the lawyers --  
and you Bob, and I hope Strachan has been told --  
believe me -- don't try to hedge anything before the  
damned Grand Jury. I'm not talking about morality,  
but I'm talking about the vulnerabilities.

T Sure, good advice.

P Huh?

19. John Dean advised the President on March 21, 1973, of Hunt's demand for approximately \$120,000 for legal fees and family support. The President explored the option of meeting Hunt's demands so as to secure the time needed to consider alternative courses. The President was not concerned with the possible Watergate related disclosures, but rather which disclosure of the National Security matters Hunt had been involved in as a member of the Plumbers.

The President advised Dean that the money could not be paid because it would look like a cover-up. At another point in the conversations the President requested advice as to whether or not the money should be paid. Later the President concludes that Hunt will blow the whistle no matter what is done for him.

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H Right.

P He is playing hard ball with regard to Ehrlichman for example, and that sort of thing. He knows what he's got.

H What's he planning on, money?

D Money and --

H Really?

P It's about \$120,000. That's what, Bob. That would be easy. It is not easy to deliver, but it is easy to get. Now,

H If the case is just that way, then the thing to do if the thing cranks out.

P If, for example, you say look we are not going to continue to -- let's say, frankly, on the assumption that if we continue to cut our losses, we are not going to win. But in the end, we are going to be bled to death. And in the end, it is all going to come out anyway. Then you get the worst of both worlds. We are going to lose, and people are going to --

H And look like dopes!

P And in effect, look like a cover-up. So that we can't do. Now the other line, however, if you take that line, that we are not going to continue to cut our losses, that means then we have to look square in the eye as to what the hell those losses are, and see which people can -- so we can

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night and --

F It seems to me we have to keep the cap on the bottle that much, or we don't have any options.

D That's right.

P Either that or it all blows right now?

D That's the question.

P We have Hunt, Krogh. Well go ahead with the other ones.

D Now we've got Kalmbach. Kalmbach received, at the close of the '68 campaign in January of 1969, he got a million \$700,000 to be custodian for. That came down from New York, and was placed in safe deposit boxes here. Some other people were on the boxes. And ultimately, the money was taken out to California. Alright, there is knowledge of the fact that he did start with a million seven. Several people know this. Now since 1969, he has spent a good deal of this money, and accounting for it is going to be very difficult for Herb. For example, he has spent close to \$500,000 on private polling. That opens up a whole new thing. It is not illegal, but more of the same thing.

P Everybody does polling.

D That's right. There is nothing criminal about it. It's private polling.

P People have done private polling all through the years. There is nothing improper.

thing. Call everybody in the White House, and I want them to come and I want them to go to the Grand Jury.

D This may happen without even our calling for it when these --  
P Vesco?

D No. Well, that is one possibility. But also when these people go back before the Grand Jury here, they are going to pull all these criminal defendants back before the Grand Jury and immunize them.

P Who will do this?

D The U.S. Attorney's Office will.

P To do what?  
To let them talk about anything further they want to talk about.

P But what do they gain out of it?

D Nothing.

P To hell with it!

D They're going to stonewall it, as it now stands. Excepting Hunt. That's why his threat.

H It's Hunt opportunity.

P That's why for your immediate things you have no choice but to come up with the \$120,000, or whatever it is. Right?

D That's right.

P Would you agree that that's the prime thing that you damn well better get that done?

- D Obviously he ought to be given some signal anyway.
- P (Expletive deleted), get it. In a way that -- who is going to talk to him? Colson? He is the one who is supposed to know him?
- D Well, Colson doesn't have any money though. That is the thing. That's been one of the real problems. They haven't been able to raise a million dollars in cash. (unintelligible) has been just a very difficult problem as we discussed before. Mitchell has talked to Pappas, and John asked me to call him last night after our discussion and after you had met with John to see where that was. And I said, "Have you talked to Pappas?" He was at home, and Martha picked up the phone so it was all in code. I said, "Have you talked to the Greek?" And he said, "Yes, I have." I said, "Is the Greek bearing gifts?" He said, "Well, I'll call you tomorrow on that."
- P Well look, what it is you need on that? When --- I am not familiar with the money situation.
- D It sounds easy to do and everyone is out there doing it and that is where our breakdown has come every time.
- P Well, if you had it, how would you get it to somebody?
- D Well, I got it to LaRue by just leaving it in mail boxes and things like that. And someone phones Hunt to come and pick it up. As I say, we are a bunch of amateurs in that

P Yeah. It would get Magruder, and it could possibly get Colson.

D That's right. Could get --

P Get Mitchell. Maybe. No.

H Hunt can't get Mitchell.

D I don't think Hunt can get Mitchell. Hunt's got a lot of hearsay.

P Ehrlichman?

D Krogh could go down in smoke.

P On the other hand -- Krogh says it is a national security matter. Is that what he says?

D Yeah, but that won't sell ultimately in a criminal situation. It may be mitigating on sentences but it won't, in the main matter.

P Seems we're going around the track. You have no choice on Hunt but to try to keep --

D Right now, we have no choice.

P But my point is, do you ever have any choice on Hunt? That is the point. No matter what we do here now, John, whatever he wants if he doesn't get it -- immunity, etc., he is going to blow the whistle.

D What I have been trying to conceive of is how we could lay out everything we know in a way that we have told the Grand



Jury or somebody else, so that if a Hunt blows, so what's new? It's already been told to a Grand Jury and they found no criminal liability and they investigated it in full. We're sorry fellow -- And we don't, it doesn't --

P (Unintelligible) for another year.

D That's right.

P And Hunt would get off by telling them the Ellsberg thing.

D No Hunt would go to jail for that too -- he should understand that.

P That's a point too. I don't think I would throw that out. I don't think we need to go into everything. (adjective deleted) thing Hunt has done.

D No.

P Some of the things in the national security area. Yes.

H Whoever said that anyway. We laid the groundwork for that.

P But here is the point, John. Let's go the other angle, is to decide if you open up the Grand Jury: first, it won't be any good, it won't be believed. And then you will have two things going: the Grand Jury and the other things, committee, etc. The Grand Jury appeals to me from the standpoint, the President makes the move. All these charges being bandied about, etc., the best thing to do is that I have asked the Grand Jury to look into any further charges. All charges have been raised. That is the place to do it, and not before a



20. At the March 21, 1973, meeting the President after considering several options seized on the possibility of calling a new grand jury, thereby delaying Hunt's sentencing and making the immediate payment unnecessary as a means of buying time. Not once after this option was explored was there any suggestion that Hunt's demand be met.

The concluding page of the transcript of the March 21, 1973, morning meeting clearly demonstrates that the President recognizes that any blackmail and cover-up activities then in progress could not continue.

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20b Transcript, March 21, 1973, 10:12-11:55 a.m., p. 249.....	160

*NOTE: Objection has been raised by Congresswoman Holtzman and Congressman Seiberling as to whole statement being a conclusion rather than a statement of information within the Rules of Procedure of the Committee.*

without a transcript.

D What we need also, Sir

H But John's view is if we make the public statement that we talked about this morning, the thing we talked about last night -- each of us in our hotel, he says that will immediately lead to a Grand Jury.

P Fine -- alright, fine.

H As soon as we make that statement, they will have to call a Grand Jury.

P They may even make a public statement before the Grand Jury, in order to --

So it looks like we are trying to do it over.

D Here are public statements, and we want full Grand Jury investigations by the U.S. Attorneys office.

P If we said that the reason we had delayed this is until after the sentencing -- You see that the point is that the reason time is of the essence, we can't play around on this. If they are going to sentence on Friday, we are going to have to move on the (expletive deleted) thing pretty fast. See what I mean?

D That's right.

P So we really have a time problem.

D The other thing is that The Attorney General could call Sirica, and say that, "The government has some major

developments that it is considering. Would you hold sentencing for two weeks?" If we set ourselves on a course of action.

P Yep, yep.

D See, the sentencing may be in the wrong perspective right now. I don't know for certain, but I just think there are some things that I am not at liberty to discuss with you, but I want to ask that the Court withhold two weeks sentencing.

H So then the story is out: "Sirica delays sentencing Watergate" --

D I think that could be handled in a way between Sirica and Kleindienst that it would not get out. Kleindienst apparently does have good rapport with Sirica. He has never talked since this case developed, but ---

P That's helpful. So Kleindienst should say that he is working on something and would like to have a week. I wouldn't take two weeks. I would take a week.

D I will tell you the person that I feel we could use his counsel on this, because he understands the criminal process better than anybody over here does.

P Petersen?

D Yes, Petersen. It is awkward for Petersen. He is the head of the criminal division. But to discuss some of things with him, we may well want to remove him from the head of

We should change that a little bit. John's point is exactly right. The erosion here now is going to you, and that is the thing that we have to turn off at whatever cost. We have to turn it off at the lowest cost we can, but at whatever cost it takes.

D That's what we have to do.

P Well, the erosion is inevitably going to come here, apart from anything and all the people saying well the Watergate isn't a major issue. It isn't. But it will be. It's bound to.

(Unintelligible) has to go out. Delaying is the great danger to the White House area. We don't, I say that the White House can't do it. Right?

Yes, Sir.

21.           Neither of the participants of the March 21, 1973, morning meeting came away with any opinion that the President authorized payments to Hunt. Haldeman concluded that the President rejected payments to Hunt. Dean testified: "The money matter was left very much hanging at the meeting. Nothing was resolved."

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H Could very well be. John, I can't believe, is a basically dishonorable guy. I think there's no question that John is a strong self-promoter, self-motivated guy for his own good; but --

P But in that conversation I was -- we were -- I was -- I said, "Well for (expletive removed), let's --"

H You explored in that conversation the possibility of whether such kinds of money could be raised. You said, "Well, we ought to be able to raise --"

P That's right.

H "How much money is involved?" and he said, "Well it could be a million dollars." You said, "That's ridiculous. You can't say a million. Maybe you say a million, it may be 2 or 10, and 11"

P But then we got into the blackmail.

H You said, "Once you start down the path with blackmail it's constant escalation."

P Yep. That's my only conversation with regard to that.

H They could jump and then say, "Yes, well that was morally wrong. What you should have said is that blackmail is wrong not that it's too costly."

P Oh, well that point (inaudible) investigation --

H (inaudible)

P You see my point? We were then in the business of -- this was one of Dean's -- when he was -- was it after that we sent him to Camp David?



1423

Senator INOUE. "On March 20th the President indicated that he still did not have all the facts."

Mr. DEAN. What date was that, Senator?

Senator INOUE. March 20.

Mr. DEAN. The President did not state to me, on the 20th when I received a call from the President I told him at that time that I would like to meet with him the next morning, and I would like to tell him what I thought the implication of the situation was, what had really prompted me at that time was the new demand from Mr. Hunt that indeed, this thing was getting far out of hand, that the White House was now being directly subject to blackmail and I did not know how to handle it.

Senator INOUE. Is it your testimony that on March 20 the President did in fact have all the facts?

Mr. DEAN. I did not hear you, again, Senator, I am sorry.

Senator INOUE. Is it your testimony that on March 20 the President did not have all the facts?

Mr. DEAN. I do not know what the President knew on March 20. We had had conversations before that. We had conversations that I was personally engaged in on September 15 of the preceding year. We had had conversations in early February or late February in which I tried to start telling him some of my own involvement. We had also had a discussion on March 13 about the money demands that were being made. At that time he discussed the fact that a million dollars is no problem. He repeated it several times. I can very vividly recall that the way he sort of rolled his chair back from his desk and leaned over to Mr. Haldeman and said, "A million dollars is no problem," and then he came back and asked "Well, who is making these demands," and I said they are principally coming from Mr. Hunt and he got into the fact that Hunt had been given clemency and his conversation about his annoyance that he had also talked to Colson about this in addition to Ehrlichman, and the money matter was left very much hanging at that meeting. Nothing was resolved.

Senator INOUE. As the President's counsel, did you, in a very legal fashion, advise him of your meetings in February in the Attorney General's office?

Mr. DEAN. My channel of reporting was through Mr. Haldeman or Mr. Ehrlichman. At the completion of the second meeting I sought out an appointment with Mr. Haldeman. I recall—

Senator INOUE. In the subsequent meetings with the President did you clearly advise him of the break-in, your involvement and the cover-up, and your involvement?

Mr. DEAN. I certainly did on the 21st and I had attempted to do it earlier in February but he was not interested in it when I raised it, and the conversation got cut short. I told him I thought I had an obstruction-of-justice problem and gave him, started to give him the highlights. He did not want to pursue it further.

Senator INOUE. "In the preceding week Dean had begun to express to Richard Moore concern about Dean's own involvement. Referring to the meetings in Mitchell's office, the plumbers operation and the Ellsberg break-in and the demands by Hunt possibly on March 16 for more money."



22. At the March 21, 1973, morning meeting while discussing the practicality of getting another grand jury the President told Dean and Haldeman to get Mitchell to come to Washington, so that Mitchell could meet with Haldeman, Ehrlichman and Dean.

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22a Transcript, March 21, 1973, 10:12-11:55 a.m.,  
pp. 247-248.

the Criminal Division and say, "That related to this case, you will have no relation." Give him some special assignment over here where he could sit down and say, "Yes, this is an obstruction, but it couldn't be proved," so on and so forth. We almost need him out of there to take his counsel. I don't think he would want that, but he is the most knowledgeable.

P How could we get him out?

D I think an appeal directly to Henry --

P Why couldn't the President call him in as Special Counsel to the White House for the purpose of conducting an investigation. Rather than a Dean in office, having him the Special Counsel to represent us before the Grand Jury.

D I have thought of that. That is one possibility.

H On the basis that Dean has now become a principal, rather than a Counsel.

D I could recommend that to you.

H Petersen is planning to leave, anyway.

D Is he?

P You could recommend it and he could come over and I would say, "Now Petersen, we want you to get to the bottom of the damn thing. Call another Grand Jury or anything else. Correct? Well, now you gotta know whether Kleindienst can get Sirica to hold off. Right? Second, you have to get Mitchell down

here. And you and Ehrlichman and Mitchell by tomorrow.

H Why don't we do that tonight?

P I don't think you can get Mitchell that soon, can you?

H John?

P It would be helpful if you could.

D It would be better if he could come down this afternoon

P It would be very helpful to get going. Actually, I am perfectly willing to meet with the group. I don't know whether I should.

H Do you think you want to?

P Or maybe have Dean report to me at the end. See what conclusions you have reached. I think I need to stay away from the Mitchell subject at this point, do you agree?

D Uh, huh.

D Unless we see, you know, some sort of a reluctant dragon there.

H You might meet with the rest of us, but I am not sure you would want to meet with John in this group at this time.

P Alright. Fine. And my point is that I think it is good, frankly, to consider these various options. And then, once you decide on the right plan, you say, "John," you say, "No doubts about the right plan before the election. You handled it just right. You contained it. And now after the election we have<sup>1</sup> to have another plan. Because we can't for four years have this thing eating away." We can't do it.



23. Haldeman and Dean left the meeting with the President at approximately 11:55 a.m. on March 21, 1973. Pursuant to the President's request Haldeman called Mitchell at approximately 12:30 p.m. and requested Mitchell come to Washington. Dean's testimony confirms this.

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# Wednesday

WASHINGTON

## TELEPHONE MEMORANDUM

H. R. Halldeman

March 21, 1973

	TIME		NAME	ACTION
	PLACED	DISC		
OUT	8:05 AM		Mrs. Halldeman	✓
INC	8:05 PM			
OUT	8:40 AM		John Dean	✓
INC	8:40 PM			✓
OUT	9:20 AM		Dave Parker	✓
INC	9:20 PM			✓
OUT	9:40 AM		#6 516/824-9278 Bern Workman	✓
INC	9:40 PM			✓
OUT	10:15 AM		Steve Bue	✓
INC	10:15 PM			✓
OUT	10:50 AM		Gen. Scowcroft	✓
INC	10:50 PM			✓
OUT	11:04 AM		Ron Ziegler	✓
INC	11:04 PM			✓
OUT	11:50 AM		John Ehrlich	✓
INC	11:50 PM			✓
OUT	12:30 AM		John Mitchell	✓
INC	12:30 PM			✓
OUT	1:36 AM		John Dean	✓
INC	1:36 PM			✓
OUT	2:00 AM		36-5323 Bill Smith	✓
INC	2:00 PM			✓





1 A I understand.

2 Q Do you understand that while the Grand Jury rules do  
3 not permit you to have an attorney present in this room, you  
4 may be excused to consult with an attorney outside of this  
5 room at any time upon request to the Foreman of the Grand Jury.

6 A I understand.

7 Q For the record, you are represented today by counsel  
8 in the presence of Mr. Wilson and Mr. Strickler who are  
9 outside, is that correct?

10 A That is correct.

11 Q So that anything you do say should be said freely  
12 and voluntarily. Do you understand that?

13 A Yes.

14 Q And you understand further, as in the past, the  
15 fact that you have been advised that you are a potential  
16 target of this Grand Jury's investigation which means that  
17 you may well be considered as a defendant for purposes of  
18 indictment by this Grand Jury.

19 A I understand.

20 Q Now understanding all of those facts and rights which  
21 you possess, are you prepared to testify this morning?

22 A I am.

23 Q Mr. Haldeman, may I direct your attention to the  
24 21st day of March, 1973 and ask whether you recall meeting on  
25 that day with the President and John Dean who was at that time

2 A Yes, I do.

3 Q And you recall entering a meeting which was then in  
4 progress?

5 A That's correct, yes.

6 Q Now following that meeting did there come a time  
7 when you had a conversation with John Mitchell who was then in  
8 New York City on the telephone?

9 A Yes, I am sure there did. Let's see -- March 21st?  
10 Yes.

11 Q Can you give us the best of your recollection of the  
12 time of the telephone conversation and the substance of it?

13 A I don't have -- I should qualify my previous answer.  
14 I am sure that there was a telephone conversation because one  
15 of the results or one of the outcomes of the March 21st meet-  
16 ing with Mr. Dean and the President was a request by the  
17 President that Mr. Dean, Mr. Ehrlichman, Mr. Mitchell and I  
18 meet that day or the following day to discuss some of these  
19 questions and then to report back to the President.

20 I feel sure that I called Mr. Mitchell to request him  
21 coming down for such a meeting.

22 Q What do you recall of the conversation between your-  
23 self and Mr. Mitchell?

24 A That's about all I recall. I am really assuming  
25 that there was such a call. I think I called him. It is

1 possible that someone else called him. My general recollection  
2 now would be that I had called him and said that the President  
3 wanted us to meet and asked him to come down.

4 Q Is it not the case that you discussed with more  
5 particularity the problems about which the President suggested  
6 you meet in your conversation with Mr. Mitchell?

7 A Not that I recall, no.

8 Q Is it your testimony that you do not recall saying  
9 to Mr. Mitchell in substance that the President requested that  
10 you meet as to how to deal with Mr. Hunt's demand for substan-  
11 tial cash payments?

12 A Yes. I have no recollection of that being discussed

13 Q It is your testimony that -- is it your testimony  
14 that in the telephone conversation with Mr. Mitchell you did  
15 not allude in any way to the subject matter about which you  
16 would be meeting the following day?

17 A My recollection is that the subject matter about  
18 which we would be meeting was the general subject of how to  
19 deal with the overall -- what has now become called the  
20 Watergate situation, as it stood at that time.

21 I don't recall the point that you raised as being  
22 the specific subject for the meeting.

23 Q I'm sorry but your answer is not responsive to my  
24 question, most respectfully. I asked whether you did not  
25 recall alluding to the subject matter in your telephone

1 conversation with Mr. Mitchell.

2 A I don't recall alluding to the subject matter. My  
3 recollection would be that if I discussed the subject matter  
4 it would be in the context that I have just described. The  
5 purpose of the meeting was, as I recall it, to review the  
6 Watergate situation.

7 Q Is it not a fact, Mr. Haldean, that in your tele  
8 phone conversation with Mr. Mitchell you stated to him in  
9 substance, or you asked him in substance, whether he was going  
10 to take care of Mr. Hunt's problem?

11 A I don't recall any such discussion, no.

12 Q When you say you do not recall any such discussion  
13 that would be something you would recall, would it not, if you  
14 had such a discussion?

15 A I would think so but I don't see that as having been  
16 the major point of discussion either at the time of the phone  
17 call to set up the meeting or at the meeting which took place  
18 on the 22nd.

19 Q You're talking now again about Mr. Hunt's specific  
20 request, is that correct?

21 A Yes.

22 Q When were you first advised that Hunt was making  
23 such a request or demand?

24 A To the best of my recollection, the first I knew of  
25 that was when it was raised in the March 21st meeting when it

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the President suggested that we have a meeting with Mitchell, Haldeman, and Ehrlichman to discuss how to deal with this situation. What emerged from that discussion after Haldeman came into the office was that John Mitchell should account for himself for the pre-June 17 activities and the President did not seem concerned about the activities which had occurred after June 17.

After I departed the President's office I subsequently went to a meeting with Haldeman and Ehrlichman to discuss the matter further. The sum and substance of that discussion was that the way to handle this now was for Mitchell to step forward and if Mitchell were to step forward we might not be confronted with the activities of those involved in the White House in the coverup.

Accordingly, Haldeman, as I recall, called Mitchell and asked him to come down the next day for a meeting with the President on the Watergate matter.

In the late afternoon of March 21, Haldeman and Ehrlichman and I had a second meeting with the President. Before entering this meeting I had a brief discussion in the President's outer office of the Executive Office Building suite with Haldeman in which I told him that we had two options:

One is that this thing goes all the way and deals with both the pre-activities and the postactivities, or the second alternative; if the coverup was to proceed we would have to draw the wagons in a circle around the White House and that the White House protect itself. I told Haldeman that it had been the White House's assistance to the reelection committee that had gotten us into much of this problem and now the only hope would be to protect ourselves from further involvement.

The meeting with the President that afternoon with Haldeman, Ehrlichman, and myself was a tremendous disappointment to me because it was quite clear that the coverup as far as the White House was concerned was going to continue. I recall that while Haldeman, Ehrlichman, and I were sitting at a small table in front of the President in his Executive Office Building office that I for the first time said in front of the President that I thought that Haldeman, Ehrlichman, and Dean were all indictable for obstruction of justice and that was the reason I disagreed with all that was being discussed at that point in time.

I could tell that both Haldeman, and particularly Ehrlichman, were very unhappy with my comments. I had let them very clearly know that I was not going to participate in the matter any further and that I thought it was time that everybody start thinking about telling the truth.

I again repeated to them I did not think it was possible to perpetuate the coverup and the important thing now was to get the President out in front.

#### MEETING OF MARCH 22

The arrangements had been made to have a meeting after lunch with the President with Ehrlichman, Haldeman, Mitchell, and myself. Mr. Mitchell came to Washington that morning for a meeting in Haldeman's office in which Ehrlichman, Mitchell, Haldeman, and

24. On March 21, 1973 Dean had a telephone conversation with LaRue concerning Hunt's request for money and Dean suggested LaRue call Mitchell. LaRue called Mitchell in the early afternoon of March 21, 1973 and advised Mitchell that he had a request for \$75,000 for Hunt's legal fees. Mitchell acknowledges that he advised LaRue to pay the money for attorney fees. During the March 21, 1973 late afternoon meeting with the President, Dean denied that he had spoken to either LaRue or Mitchell, when in fact he had spoken to both.

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1 Q Now, did Mr. Mitchell, at that time, indicate to  
2 you, one way or another, whether Mr. Hunt would be paid?

3 A No, he did not.

4 Q Thereafter, did you have a conversation with Mr.  
5 LaRue?

6 A Yes, I did.

7 Q And what was the substance of that conversation?

8 A Mr. LaRue wanted to know what I was going to do  
9 about the problem that had raised, and I told him, nothing;  
10 that I was out of that business.

11 He then asked me what I thought he should do and  
12 I told him I thought he ought to talk to Mitchell about it.

13 Q Now, after the meeting on the 21st with the Presi-  
14 dent and, for a portion, Mr. Haldeman, did you learn from  
15 anyone whether Mr. Mitchell had been contacted with respect  
16 to coming down to Washington and meeting with you, and Mr.  
17 Haldeman and the President and Mr. Ehrlichman?

18 A Yes, I did.

19 Q And when did you learn that?

20 A Sometime on the 21st, I learned it from Mr. Halde-  
21 man. Originally, it had been hoped that Mr. Mitchell could  
22 come down immediately but, for some reason, he couldn't come  
23 down until the next morning. So a meeting was scheduled for  
24 the next morning.

25 Q Now, later on in the day, on the 21st, you had a

END RECORDED  
IN COURT  
FEBRUARY 14, 1974



LV

7

1 Bittman in the afternoon, do you recall whether that was a  
2 telephone call in Mr. Bittman's office?

3 A That would certainly be my recollection so certainly  
4 my assumption that the call would have been made through his  
5 office, yes.

6 Q If it were not to his office, if he had left already  
7 it would have been to his home, I take it?

8 A That would be true.

9 Q So you would place that at sometime in the latter  
10 part of the afternoon or the early evening?

11 A The first call?

12 Q Yes.

13 A I would place it in the afternoon.

14 Q Now prior to making that call, I take it you had had  
15 discussions with other people concerning whether to make this  
16 delivery.

17 A That is correct.

18 Q That day had you spoken to Mr. Dean and Mr. Mitchell?

19 A That is correct.

20 Q Now starting with Mr. Dean, can you tell us what Mr.  
21 Dean told you in substance?

22 A My best recollection of that phone call is that Mr.  
23 Dean called me. He stated that he had had a request for a  
24 delivery of money to Mr. Bittman for Mr. Hunt's attorneys fees  
25 and for Mr. Hunt's expenses, living expenses.

1 Q Okay.

2 A He indicated to me that he was passing this information  
3 on to me for whatever purpose I wanted to make of it,  
4 that he was not going to have any further involvement, contact  
5 in the delivery of monies to the so-called Watergate defendant  
6 and that I would have to exercise my own judgment to decide  
7 what to do about this request.

8 I told Mr. Dean that unless I was authorized by  
9 someone that I would not make this delivery, at which point  
10 he suggested that I call Mr. Mitchell.

11 Q Did Mr. Dean in that conversation indicate that there  
12 was a sense of urgency about this?

13 A Yes. I recall that he indicated there was a sense  
14 of urgency. To the best of my recollection he mentioned some  
15 thing to the effect that Mr. Hunt was due to be sentenced, I  
16 think within the next two or three days, and he did imply a  
17 sense of urgency about it, yes.

18 Q I take it Mr. Dean identified an amount of money in  
19 the course of that conversation that Mr. Hunt was asking for?

20 A That is correct. My recollection is that there was  
21 \$75,000 required for attorneys fees, and \$60,000 required for  
22 his living expenses.

23 Q Now I take it you had a conversation with Mr.  
24 Mitchell following that with Mr. Dean.

25 A That is correct.

1 Q Can you recall to the best of your recollection the  
2 substance of that conversation?

3 A As it relates to the delivery of this money, I can,  
4 yes. I told Mr. Mitchell of my conversation with John Dean,  
5 indicating that Dean was not going to be involved any further  
6 in the authorization and distribution of money.

7 I told Mr. Mitchell that we had had a request for  
8 \$75,000 for Mr. Hunt. He asked me what it was for. I told  
9 him to the best of my knowledge it was for attorney's fees,  
10 and he said that under the circumstances, he said, "I think  
11 you ought to pay it", which I proceeded to do.

12 Q Is it a fact then that you didn't mention to Mr.  
13 Mitchell the request for \$60,000--

14 A This is my best recollection --

15 Q Mr. LaRue, let me finish the question. \$60,000  
16 for maintenance.

17 A To the best of my recollection this is true. I  
18 think this was a decision I made myself. It was certainly  
19 a rather large sum of money involved, quite frankly approach-  
20 ing the amount of money which I had on hand at that time.

21 The only amount of money I recall discussing with  
22 Mr. Mitchell was the \$75,000 which was delivered.

23 Q Was there anything in the conversation you had with  
24 Mr. Mitchell by which Mr. Mitchell indicated that he had or  
25 had not heard of this request earlier than the time of your

1 conversation?

2 A Nothing that would indicate to me one way or the  
3 other.

4 Q Now in fixing the date of these events, do you  
5 recall that the date following this delivery of money you  
6 learned that Mr. Mitchell was in Washington?

7 A I don't specifically recall Mr. Mitchell being in  
8 Washington on that particular day. I do recall him being in  
9 Washington a couple of times in this time frame, but as far  
10 as the specific date, I can't recall.

11 Q Now independently do you have any recollection of  
12 the precise date of the request to Mr. Millican to deliver  
13 the funds?

14 A The precise date of the request?

15 Q Yes.

16 A The date would be on the day he delivered it. It  
17 would have been that specific day.

18 Q I mean can you recall of your own recollection, or  
19 through any of your own notes; what day this was? We know it  
20 was in late March from your recollecting the events, but  
21 specifically can you recall the precise day?

22 A I can't specifically recall the precise day. No,  
23 sir.

24 Q All you can be sure of is that it was the evening  
25 of the dinner party with Mr. Unger?

1630

Mr. MITCHELL. Yes, sir.

Mr. DASH. Now, when did you leave your position as the director of the campaign?

Mr. MITCHELL. On the 1st of July 1972.

Mr. DASH. And when you left, you were aware, were you not, that Mr. Magruder was staying on as deputy director of the campaign.

Mr. MITCHELL. Yes, he stayed on as Mr. MacGregor's deputy.

Mr. DASH. And were you not aware when you were leaving that Mr. Magruder at least faced some serious problem of being indicted on the break-in of the Democratic National Committee headquarters as of July 1?

Mr. MITCHELL. As of July 1? I think that was a potential, yes.

Mr. DASH. Now, you did meet with the President on June 30, 1972, just before you left. As I understand, you had lunch with the President.

Mr. MITCHELL. That is correct, sir.

Mr. DASH. Did you think it your duty to tell the President at that lunch before you left that the man who was playing such a key role in his campaign, Magruder, had such a problem that he might be indicted for the break-in of the Democratic National Committee headquarters?

Mr. MITCHELL. Mr. Dash, I think you and I have gone over to the point where we have established that the White House horror stories had come out in connection with the problem at that particular time and there wasn't the question of lifting of the tent slightly in order to get with respect to one individual or another; it was a keeping the lid on and no information volunteered.

Mr. DASH. Even if the lid had been kept on the so-called White House horrors, wouldn't it be very embarrassing to the President of the United States in his effort to be reelected if his deputy campaign director was indicted in the break-in of the Democratic National Committee headquarters?

Mr. MITCHELL. I don't think as far as the Watergate was concerned, there was a hell of a lot of difference between the deputy campaign director and the counsel for the finance committee and the security officer. Quite frankly, as far as the Watergate was concerned, that was already a public issue. It was the parties that were involved.

Mr. DASH. There came a time, did there not, Mr. Mitchell, that the pressures for money by the defendants or by Mr. Hunt increased?

Would you tell us what you know about that?

Mr. MITCHELL. Well, I am not sure, Mr. Dash, that I can tell you very much about them other than the fact that somewhere along in the fall, Mr. Hunt had a telephone conversation with Mr. Colson, which, I think, covered the subject matter and then later on, as I recall, Mr. Dean has got in the record a letter from Mr. Hunt to Mr. Colson, which I think is quite suggestive of the fact that he was being abandoned.

Then I heard later on, in March of this year, there were oral communications from either Hunt or his attorney relating to requests for legal fees and so forth, which were communicated to the White House.

Mr. DASH. How did you hear about the March request?

Mr. MITCHELL. The March request? I think I probably heard about it through Mr. LaRue, if my memory serves me right.

Mr. DASH. Do you know how much money was actually being requested at that time?

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Mr. MITCHELL. I can't really tell you about the moneys across this period of time. It seems to me that the March request had some amount in the area of \$75,000 which Mr. LaRue described to me, that was being requested by counsel for their legal fees in connection with the representation of Mr. Hunt.

Mr. DASH. Did Mr. LaRue ask you what your opinion was or whether he should pay that amount of money to Mr. Hunt or his counsel?

Mr. MITCHELL. Mr. LaRue, to the best of my recollection, put it in this context: I have got this request, I have talked to John Dean over at the White House, they are not in the money business any more, what would you do if you were in my shoes and knowing that he made prior payments? I said, if I were you, I would continue and I would make the payment.

Mr. DASH. And in that advice to Mr. LaRue, I take it, was the consideration that unless that payment was made, Mr. Hunt might in fact uncover the so-called White House horror stories.

Mr. MITCHELL. Mr. Dash, I don't know how you can move from the fact that Mr. LaRue told me that it was for legal fees to the point where we are uncovering the White House horror stories. It may be there. I don't know.

Mr. DASH. Didn't that enter your mind, the pressure from Mr. Hunt, the fact that you indicated there were requests and former pressures for money, to the—

Mr. MITCHELL. I don't think, Mr. Dash, that in March of 1973, those things were entering my mind, because I think as you are well aware from other testimony, I had refused to even consider raising money for these purposes a long time before that.

Mr. DASH. But you are aware that there was a sum of money available for that at the White House, were you not?

Mr. MITCHELL. I was aware that there had been one at one time, but I didn't know how far Liddy had gotten into that particular fund.

Mr. DASH. Since the \$350,000 had come over from the Committee for the Re-Election of the President to the White House—

Mr. MITCHELL. That is the only fund I was aware of, yes.

Mr. DASH. Why, Mr. Mitchell, did you refuse around that time to raise any money for the payment of these fees?

Mr. MITCHELL. Well, not only around that time, but all other times. I have never raised any money for anything and I was not about to start for that particular purpose.

Mr. DASH. Did you ever make any suggestions that the money that should be used for that purpose was the \$350,000?

Mr. MITCHELL. No, to the best of my recollection, I had a conversation with Mr. LaRue, I am sure at his instance, not mine, in which he pointed out that the funds, whatever source they were, that he had for the support of and the payment of lawyers' fees of these individuals, had run out, did I know whether there was any other money? And I suggested that maybe you ought to call over to the White House and see if the \$350,000 that had been sitting over there since April was available for the purpose. I understand that he did so.

Mr. DASH. Do you recall attending a meeting in January with Mr. Kalmbach and Mr. Dean in which you asked Mr. Kalmbach to help raise money for these legal fees and support of families? That occurred in January 1973.

P However, can he, by talking, get a pardon? Clemency from the Court?

D Obviously he has thought of this. If he goes in there and tells this Judge before sentencing, if he says, "Your honor I am willing to tell all. I don't want to go to jail. I plead guilty to an offense. If I don't have to go to jail, I will cooperate with you and the government. I will tell you everything I know." I think that probably he would receive very favorable consideration.

P Yeah. And then so the point we have to, the bridge we have to cross there, that you have to cross I understand quite soon, is what you do about Hunt and his present finance? What do we do about that?

D Well apparently Mitchell and LaRue are now aware of it so they know how he is feeling.

P True. Are they going to do something?

D Well, I have not talked with either of them. Their positions are sympathetic.

P Well, it is a long road isn't it? When you look back on it, as John has pointed out here, it really has been a long road for all of you, of us.

H It sure is.

P For all of us, for all of us. That's why you are wrestling with the idea of moving in another direction.

D That's right. It is not only that group, but within this circle of people, that have tidbits of knowledge, there





25. Having received information on March 21, 1973 of possible obstruction of justice having taken place following the break-in of the DNC, the President promptly undertook an investigation into the facts. The record discloses that the President started his investigation the night of his meeting with Dean on March 21st, as confirmed by Dean in his conversation with the President on April 16, 1973. At the meeting with Mitchell and the others on the afternoon of March 22nd, the President instructed Dean to prepare a written report of his earlier oral disclosures.

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- P But I did ask you and I think you should say the President 801  
authorized me to say this -- I won't reveal the conversation  
with the President -- he asked me this question. I told  
him this, that nobody in the White House was involved. And  
in addition to that to the best of my ability I kept, I guess,  
or how do you think you should handle this Presidential  
advice? Maybe you better --
- D Well, I think the less said about you, I think you say any-  
thing you want to say anything about it.
- P Well, let me tell you I am going to handle that properly  
and I just wanted to be sure that it jives with the facts.  
I can say that you did tell me that nobody in the White  
House was involved and I can say that you then came in, at  
your request, and said, "I think the President needs to hear  
more about this case."
- D That's right.
- P Then it was that night that I started my investigation.
- D That's right -- that was the Wednesday before they were  
sentenced. Now I can get that date --
- P Would you do this. Get your chronology of this. Wednesday  
you came in and told me that, et cetera. That would be  
helpful for me to have. That is when I frankly became  
interested in the case and I said, "Now (expletive omitted)  
I want to find out the score." And set in motion  
Ehrlichman, Mitchell and -- not Mitchell but a few others.  
OK?
- D Sure.

(inaudible) (two memorandum that the courts have public records)

P We tried that move, John --

M Well, I did too -- before Mr. President. But now that the indictment has come out (inaudible) has the feeling that they have the documentation back of it. Now that the bag has come out.

D I think the proof is in the pudding, so to speak -- it is how this document is written and until I sit down and write that document. I have done part of it so to speak. I have done the Segretti thing and I am relatively satisfied that we don't have any major problems there. As I go to part A -- to the Watergate -- I haven't written -- I haven't gone through the exercise yet in a real effort to write such a report, and I really can't say until I do it where we are and I certainly think it is something that should be done though.

P What do you say on the Watergate (inaudible)

D We can't be complete if we don't know, all we know is what, is what --

P It is a negative in setting forth general information involving questions. Your consideration -- your analysis, et cetera. You have found this, that. Rather than going into every news story and every charge, et cetera, et cetera. This, this this, -- put it down -- I don't know but

D I don't think I can do it until I sit down this evening and start drafting.

H I think you ought to hold up for the weekend and do that and

get it done.

P Sure

H Give it your full attention and get it done.

P I think you need -- why don't you do this? Why don't you go up to Camp David?

D I might do it, I might do it.

P Completely away from the phone. Just go up there and (inaudible) I want a written report.

E That would be my scenario. He presents it to you at your request. You then publish -- (inaudible)

T I know that but I don't care.

You are not dealing with the defendants on trial. You are only dealing with White House involvement. You are not dealing with the campaign.

D That's where I personally...

P You could write it in a way that you say this report was not comment on et cetera, et cetera, but, "I have reviewed the record, Mr. President and without at all compromising the right of defendants and so forth, some of whom are on appeal, here are the facts with regard to members of the White House staff et cetera, et cetera, that you have asked me about. I have checked the FBI records; I have read the Grand Jury transcripts -- et cetera, et cetera.

As a matter of fact you could say, "I will not summarize some of the FBI reports on this stuff because it is my understanding that you may wish to publish this." Or you

P Do you think we want to go this route now? Let it hang out so to speak?

D Well, it isn't really that --

H It's a limited hang out.

D It is a limited hang out. It's not an absolute hang out.

P But some of the questions look big hanging out publicly or privately.

D What it is doing, Mr. President, is getting you up above and away from it. That is the most important thing.

P Oh, I know. I suggested that the other day and they all came down negative on it. Now what has changed their minds?

D Lack of candidate or a body.

H Laughter.

M (Inaudible) We went down every alley.

P I feel that at a very minimum we've got to have this statement. Let's look at it. I don't know what it -- where in the hell is it -- If it opens up doors, it opens up doors -- you know.

H John says he is sorry he sent those burglars in there -- and that helps a lot.

P That's right.

E You are very welcome, sir.

(Laughter)

H Just glad the others didn't get caught.

P Yeah, the ones he sent to Muskie and all the rest; Jackson;



26. Although Dean was instructed to go to Camp David and write a report on March 22, 1973 by the President, Dean denied this and later testified before the Senate Select Committee that he was never requested to write a report until Haldeman called him after he arrived at Camp David.

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Mr. DEAN. Well, the President called me on the 23d. In the meeting on the 22d—I might mention this: As early as February, when I had a meeting with the President, he asked me had I ever spent any time up at Camp David? I said no, I hadn't, I had been up there to a meeting once right after the election, a very brief meeting with Ehrlichman and Haldeman. He said, you and your wife ought to go up there on some weekend, it is an excellent place to go. He mentioned that on a number of occasions and I told my wife, I said, the President has been very gracious in saying that you should go to Camp David and mentioned it to her.

Senator GURNEY. At any rate, you did go to Camp David, sort of understanding that you were going to write a report about Watergate, is that right?

Mr. DEAN. No, sir. When the President talked to me on the 23d, I had talked to O'Brien that morning about the fact that in court, Mr. McCord's letter had been read by Judge Sirica. O'Brien reported from somebody who had told him at the courthouse.

I called Ehrlichman, and Ehrlichman said he had a copy of the letter and read me a copy of the letter and asked me what my assessment of it was. Based on my conversation with O'Brien, I told him that it seemed at best that all McCord has is hearsay.

It was then much later. It was, oh, in the afternoon, I guess, 1 or 2 o'clock or so. I was still surrounded by the press at home because of the Gray statement the preceding day; they wanted me to make a comment on it, and I didn't want to do that. I received a call from the President.

There are some details of that conversation of a personal nature to the President that, the first family, that I don't want to put in because they are not relevant. But I recall the conversation very clearly, because there were some complications because Mrs. Nixon and Tricia were up there at the same time.

The President said, "Well, go on ahead. You need the break, you have been under a lot of pressure," and the like. He never at any time asked me to write a report, and it wasn't until after I had arrived at Camp David that I received a call from Haldeman asking me to write the report up.

If I was going to go up and write a report, I would have gone to my—there was general discussion also of preparing a Segretti report, as I recall. If I had gone to Camp David specifically to write a report, I would have gone to my office first and collected an awful lot of material that I didn't take with me, which I subsequently had to call back for in order to write a report.

Senator GURNEY. It was shortly after this, though, that then you engaged counsel, is that correct?

Mr. DEAN. On the evening—I believe it was Sunday evening, I received word that the Los Angeles Times was going to publish a story that I had had prior knowledge of the fact that there was going to be a break-in of the Democratic National Committee headquarters on June 17.

Now, I knew I hadn't had prior knowledge of that. In fact, I don't think anybody other than those involved had prior knowledge of the fact that there was going to be a break-in. I thought it was libelous.

I called Mr. Hogan, told him, explained in generalities the facts.



27. Just six days after Dean's disclosures, on March 27, 1973, the President met with Ehrlichman and Haldeman to discuss the evidence thus far developed and how best to proceed. Again the President stated his resolve that White House officials should appear before the grand jury. They confirmed to the President, as Dean had, that no one at the White House had prior knowledge of the Watergate break-in. Ehrlichman told the President that there wasn't "a scintilla of a hint" that Dean knew about this. The President asked about the possibility of Colson having prior knowledge and Ehrlichman stated that Colson's response was "of total surprise... He was totally non-plussed, as the rest of us."

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- P before any judicial group, therefore, is on a different basis from anybody else, "which is basically what I - you know when I flatly said Dean would not appear but others would. You know, I did say that, and of course --
- E It was on a different basis. And at the same time, a man in any position ought to be given a chance to defend himself from these groundless charges.
- P "Mr. Dean certainly wants the opportunity to defend himself against these charges. He would welcome the opportunity and what we have to do it to work out a procedure which will allow him to do so consistent with his unique position of being a top member of the President's staff but also the Counsel. There is a lawyer, Counsel -- not lawyer, Counsel -- but the responsibility of the Counsel for confidentiality."
- Z Could you apply that to the Grand Jury?
- E Absolutely. The Grand Jury is one of those occasions where a man in his situation can defend himself.
- P Yes. The Grand Jury. Actually if called, we are not going to refuse for anybody called before the Grand Jury to go, are we, John?
- E I can't imagine (unintelligible)
- P Well, if called, he will be cooperative, consistent with his responsibilities as Counsel. How do we say that?

P I would -- the reason I would totally agree -- that I would believe Dean there (unintelligible) he would be lying to us about that. But I would believe for another reason -- that he thought it was a stupid damn idea.

E There just isn't a scintilla of hint that Dean knew about this.

Dean was pretty good all through that period of time in sharing things, and he was tracking with a number of us on --

P Well you know the thing the reason that (unintelligible) thought -- and this incidentally covers Colson -- and I don't know whether --. I know that most everybody except Bob, and perhaps you, think Colson knew all about it. But I was talking to Colson, remember exclusively about -- and maybe that was the point -- exclusively about issues. You know, how are we going to do this and that and the other thing. (unintelligible) mainly, the labor bill, how do we get this, how do we get aid to the Catholic schools.

H Getting that aid to Catholic schools, you know, was a -- Colson's fight was with (unintelligible).

P Right, That was what it is. But in all those talks he had plenty of opportunity. He was always coming to me with ideas, but Colson in that entire period, John, didn't mention it. I think he would have said, "Look we've gotten some information," but he

there had been this burglary - the first guy I called was Colson.

P Yeah.

E And his response, as I recall it, was one of total surprise and he could have said then, "Oh, those jerks, they shouldn't have; Or, "I knew about it earlier"; Or, referred to it by saying, "It would have been a meaningful leak," but he didn't. He was totally nonplussed, the same as the rest of us.

P Well, the thing is too, that I know they talk about this business of Magruder's, saying that Haldeman had ordered, the President had ordered, etc., of all people who was surprised on the 17th of June -- I was in Florida -- was me. Were you there?

E No, I was here.

P Who was there?

E I called Colson, Haldeman and Ziegler and alerted them to this.

P And I read the paper. What in the name of (expletive removed) is this? I just couldn't believe it. So you know what I mean -- I believe in playing politics hard, but I am also smart. What I can't understand is how Mitchell would ever approve.

H That's the thing I can't understand here.

28. On April 8, 1973, the President met with Ehrlichman and Haldeman on board Air Force One and directed them to meet with Dean and urge him to go to the grand jury. Haldeman and Ehrlichman met with Dean that afternoon and at 7:33 p.m. Ehrlichman reported to the President that Dean indicated he would agree to go before the grand jury.

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Senator GURNEY. Now, through this period of time, beginning with that assignment on—is it March 31?

Mr. EHRLICHMAN. Thirtieth.

Senator GURNEY. March 30, were you reporting to the President what you were finding out?

Mr. EHRLICHMAN. I reported to him after I talked with Mr. O'Brien but very briefly on that subject, and I just said: "I am beginning to get a feel for this thing but I have got so much hearsay here I don't think it's worth taking a lot of your time." He said: "You know, what are you finding out?" So I said: "Well he tells me there were these meetings back in the early times when Liddy had this plan, and so on." I took him kind of sketchily through the O'Brien business and I said: "This is hearsay two, three and in some cases four removed," and I said "We cannot move on something of this kind until we find out."

Now, in San Clemente again when we came to this funny conflict between Dean and Mitchell, I mentioned that to him, and I said "We are trying to get to the bottom of it," and two or three times he said "Have you got that figured out yet?" and when we talked on the airplane going back and we talked about Dean going to the grand jury and he said finally "I am not going to wait, he is going to go." He said: "Have you ever figured out what that is," and I said "No, we are going to see Dean. We don't know what that is."

Senator GURNEY. Well, now, did you make a complete report to the President?

Mr. EHRLICHMAN. Yes, sir.

Senator GURNEY. When was that?

Mr. EHRLICHMAN. That was on Saturday morning, April 14.

Senator GURNEY. What did you tell him?

Mr. EHRLICHMAN. Well, I told him basically a narrative of my interviews with these various people starting with O'Brien and running through everybody that is on this list except Mitchell and Magruder whom I had not yet—with whom I had not yet talked and Strachan the second time when I got into the whole question of Bob Haldeman's involvement.

Senator GURNEY. Now, so we can wrap this up and I can release the floor here, did you at that time give him a complete account of Watergate as we know it now, and if you did not, what portions did you not tell him that you didn't know? Perhaps we can get at it that way quickly.

Mr. EHRLICHMAN. Well, I didn't know, for instance, any of the behind-the-scenes business of the money beyond what Paul O'Brien had given me here and a little feel of it that Dean had given me which I think I have just described to you about as well as I can. The subsequent interviews that I had with particularly Magruder that afternoon—you see the outcome of this report to the President was, he said "I want you to talk to Magruder; I want you to talk to Mitchell," and then he also told me he wanted to find out more about Bob Haldeman's involvement. So those three followed that preliminary report and none of the things that I developed from any of them were included in it. When I completed them, then I came back and reported what those three individuals told me and laid that out for him.

Senator GURNEY. And was that a fairly complete account of Watergate?

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7sb  
Appendix 13. Telephone conversation: The President and  
Ehrlichman, April 8, 1973. (7:33 - 7:37 a.m.)

P Oh, John. Hi.

E I just wanted to post you on the Dean meeting. It went fine. He is going to wait until after he'd had a chance to talk with Mitchell and to pass the word to Magruder through his lawyers that he is going to appear at the Grand Jury. His feeling is that Liddy has pulled the plug on Magruder, and that (unintelligible) he thinks he knows it now. And he says that there's no love lost there, and that that was Liddy's motive in communicating informally.

Uh, huh.

E At the same time, he said there isn't anything that he, Dean, knows or could say that would in any way harm John Mitchell.

P But, it would harm Magruder.

E Right. And his feeling is that Sirica would not listen to a plea of immunity at a (unintelligible) I should say. And that (unintelligible) from him. He would be much better off to go in there and have an informal talk and that's what he wants to do.

P Right.

E So obviously we didn't tell him not to, but we did say that it is important that the other people knew what he was doing.





29. Dean did in fact communicate his intention to testify before the grand jury to Mitchell and Magruder and told them he would not agree to support Magruder's previous testimony to the grand jury. Thereafter on April 14, 1973, Magruder appeared before the U. S. Attorneys and cooperated with them fully.

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that Mitchell and Magruder were waiting in another office for me. I asked him why they wanted to talk to me and he said that they wanted to talk to me about my knowledge of the meetings in Mitchell's office. I told Haldeman that they were both aware of the situation and I was not going to lie if asked about those meetings. Haldeman said that he did not want to get into it, but I should go in and work it out with Mitchell and Magruder.

Before discussing the meetings with Mitchell and Magruder, I feel I should comment on my reaction to the discussion I had just had with Mr. Haldeman. Knowing how freely and openly he had discussed matters in the past, I could tell that he was back-peddling fast. That he was now in the process of uninvolving himself, but keeping others involved. This was a clear sign to me that Mr. Haldeman was not going to come forward and help end this problem, rather, he was beginning to protect his flanks. It was my reaction to this meeting with Mr. Haldeman and his evident changed attitude, and my earlier dealings with Ehrlichman where he had told me how I should handle various areas of my testimony should I be called before the grand jury, that made me decide not to turn over to them the report I had written at Camp David. I have submitted to the committee a copy of the Camp David report, part of which was typed by my secretary at Camp David and the remainder in longhand, which I had not put in final narrative form before I was called back to Washington.

[The document was marked exhibit No. 34-43.\*]

#### MEETING WITH MR. MITCHELL AND MR. MAGRUDER

Mr. DEAN. After departing Mr. Haldeman's office, I went to meet with Mitchell and Magruder. After an exchange of pleasantries, they told me they wished to talk to me about how I would handle any testimonial appearances regarding the January 27 and February 4 meetings which had occurred in Mitchell's office. I told them that we had been through this before and they knew well my understanding of the facts as they had occurred at that time. Mitchell indicated that if I so testified, it could cause problems. Magruder then raised the fact that I had previously agreed, in an earlier meeting, that I would follow the testimonial approach they had taken before the grand jury.

I told them I recalled the meeting. Magruder then said that it had been I who had suggested that the meetings be treated as dealing exclusively with the election law and that explained my presence. At this point in time, I decided I did not wish to get into a debate regarding that meeting. They both repeated to me that if I testified other than they had it would only cause problems. I said I understood that. I told them that there was no certainty that I would be called before the grand jury or the Senate committee and that if I were called, I might invoke executive privilege, so the question of my testimony was still moot. I did not want to discuss the subject further so I tried to move them off of it. They were obviously both disappointed that I was being reluctant in agreeing to continue to perpetuate their earlier testimony.

The only other matter of any substance that came up during that meeting was when I made the point that I had never asked Mitchell

\*See p. 1283.

Mr. DASH. And Mr. Haldeman knew that then, did he not?

Mr. MAGRUDER. I cannot recall in my meeting with him in January whether—yes, I am sure I did discuss those meetings, yes.

Mr. DASH. So the attempt to get together and agree on that meeting was an attempt to get together and agree on at least from your point of view, would be the full story?

Mr. MAGRUDER. That is correct, Mr. Haldeman recommended that Mr. Dean and Mr. Mitchell and I meet, which we did that afternoon.

Mr. DASH. What was the result of that meeting?

Mr. MAGRUDER. I realize that Mr. Dean had different opinions then as to what he would do probably, and so then my—I thought that probably it was more appropriate that even on that Monday that I get separate counsel so that I could get advice independent of the individuals who had participated with me in these activities.

Mr. DASH. In other words, you really could not agree at the meeting with Mr. Mitchell and Mr. Dean.

Mr. MAGRUDER. Well, it was cooperative.

Mr. DASH. What was Mr. Dean's position?

Mr. MAGRUDER. He would not indicate a position.

Mr. DASH. All right. Did there come a time when you did get independent counsel?

Mr. MAGRUDER. Yes, Mr. Parkinson, who was counsel of the committee, recommended Mr. Bierbower and on that Saturday I went to meet him, he was out of the country, and I met him and we agreed, he agreed to be my counsel that Saturday evening.

Mr. DASH. Did there come a time when you decided that you should go to the U.S. attorney's office?

Mr. MAGRUDER. Yes, that is correct.

Mr. DASH. When did you go to the U.S. attorney's office?

Mr. MAGRUDER. We agreed, they discussed the things with the U.S. attorney, I think on April 12 and I saw them informally on April 13 and saw them formally on April 14 on Saturday, April 14.

Mr. DASH. At that time did you tell everything to the assistant U.S. attorneys?

Mr. MAGRUDER. Yes, I cooperated.

Mr. DASH. Who did you meet with?

Mr. MAGRUDER. Mr. Silbert, Mr. Glanzer, and Mr. Campbell.

Mr. DASH. Did you tell them everything you are now telling this committee?

Mr. MAGRUDER. Yes.

Mr. DASH. Did you have a meeting afterward with Mr. Ehrlichman?

Mr. MAGRUDER. Yes, Mr. Ehrlichman called while I was with the U.S. attorneys and asked me would I come over and talk to him about the case. We talked to the U.S. attorneys and they agreed as a courtesy that we should and Mr. Bierbower and the other attorney with Mr. Bierbower and I went to see Mr. Ehrlichman that afternoon.

Mr. DASH. Then, according to that meeting that you had with Mr. Ehrlichman, what happened?

Mr. MAGRUDER. We told him in rather capsule form basically what I told you this morning.

Mr. DASH. All right.

Now, I have just two final questions. I want to go back to the time when you came back from California to Washington, putting you back



30. On April 14, 1973, the President again met with Ehrlichman and Haldeman to review the results of three weeks investigation and to determine the future course of action. Based on Ehrlichman's report, the President concluded Mitchell should go before a grand jury. The President instructed Ehrlichman to see Magruder and tell him that he did not serve the President by remaining silent. The President told Ehrlichman that when he met with Mitchell to advise him that "the President has said let the chips fall where they may. He will not furnish cover for anybody." The President told Ehrlichman to tell Magruder to purge himself and tell this whole story.

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scenario that was spun out, that Dean spun out on Mitchell is basically the right one. I don't think Mitchell did order the Watergate bugging and I don't think he was specifically aware of the Watergate bugging at the time it was instituted. I honestly don't.

E That may be.

(Material unrelated to Presidential actions deleted)

P What did he say? What did he tell Moore?

E Well, remember I asked Moore to find out what Mitchell had testified to.

P Yeah. Moore heard the testimony and said well you're not --

He was never asked the right questions. Now, as far as he

H He probably didn't to the Grand Jury, either.

E That's right. As far as the quality of the evidence is concerned --

(Material unrelated to Presidential actions deleted)

E Well, to go back to the

P All right. I only mentioned (unintelligible) because, let me, -- go ahead with your --

E Well, all I was going to say is that --

P All right. I now have evidence that --

E You don't have evidence if I

P I'm not convinced he's guilty but I am convinced that he ought to go before a Grand Jury.

P got to make this move today. If it fails, just to get back our position I think you ought to talk to Magruder.

H I agree.

P And you tell Magruder, now Jeb, this evidence is coming in you ought to go to the Grand Jury. Purge yourself if you're perjured and tell this whole story.

H I think we have to.

P Then, well, Bob, you don't agree with that?

H No. I do.

Because I think we do have to. Third, we've got the problem

H You should talk to (unintelligible) first though.

E What really matters, Bob, is that either way --

P Yeah.

E Who is ever (unintelligible)

P You see the point is --

H But don't use Jeb as a basis for the conversation.

P Yeah. Say that the evidence is not Jeb. I'd just simply say that these other people are involved in this. With Jeb, although he may blow --

E I can say that I have come to the conclusion that it is both John and Jeb who are liable.

-100-

E pass unpunished. I can't make that judgment for you and I don't have any right to make it for you. All I'm saying is that if we're looking at this thing from the standpoint of the President, today is probably the last day that you can take that action, if you're ever going to take it to do the President a bit of good."

P "Do you realize, John, that from the White House, I mean, Colson, maybe Haldeman are going to get involved in this thing too?"

E Well, here again, we're looking at this thing not from the standpoint of any other individual. "We are looking at it from the standpoint of the Presidency and that's the only way I think you and I can approach this."

P And I'd go further and say, "The President has said let the chips fall where they may. He will not furnish cover for anybody." I think you ought to say that.

E That's right.

P Don't you agree, Bob? That isn't it?

H He may go, He may get Chuck.



31. On April 15, 1973, the President met with Attorney General Kleindienst. They considered who should be in charge of the continuing investigation. The President met with Assistant Attorney General Petersen on the afternoon of April 15, 1973, in his EOB office. At this meeting Petersen indicated there was no criminal case on Haldeman and Ehrlichman at this time. Having been told Liddy would not talk unless authorized by "higher authority" the President instructed Petersen to tell Liddy's counsel the President would confirm his urging of Liddy to cooperate.

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31b Petersen 9 SSC 3632, 3875, 3876.....	213
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and that's why we had no control. Well, anyway,  
I'm not making excuses. The thing to do now is to.

K Deal with the facts as you have them.

P Go forward.

K It would have to be by you, Mr. President.

P There's (unintelligible). How about another man that  
we could bring down? How about a former Circuit  
Court Judge like Lombard?

K Well the Chief Justice doesn't like that unless he has  
completely retired from the judiciary.

Says he can serve if we gave him an interim appointment?

K Yes--yeah.

P Seventy-one years of age?

K No-no. What you are doing is having a Federal judiciary.

P Well it seems to me that's the same.

K The Chief Justice thinks this fellow Sears--he's the  
one who recommended Sears.

P Thinks we should have a special prosecutor?

K Yes. He does. Yes.

P Now what does he say--now--I want to get some other  
judgments because I--I'm open on this. I lean against  
it and I think it's too much of a reflection on our system  
of justice and everything else.

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to come back to him if we disagreed, and so I think the criticism is wholly unwarranted.

Mr. DASH. Did you receive a call from the President on April 30, 1973?

Mr. PETERSEN. Yes, sir.

Mr. DASH. Could you tell us what that call was about?

Mr. PETERSEN. April 30, 1973?

Mr. DASH. Yes.

Mr. PETERSEN. He called up and said, you can tell your wife that the President has done what needed to be done, and I want to thank you for what you have done.

To the extent that requires some explanation in the course of our conversations, I was impressing upon the President the situation so far as I was concerned was degenerating, and it was vitally affecting the people's confidence in the White House, and I related to him a conversation that I had with my wife at the breakfast table in which she had said, "Do you think the President is involved?" And I related that to the President and I said, "If I reach the point where I think you are involved, I have got to resign. If I come up with evidence of you, I am just going to waltz it over to the House of Representatives," but I said, "What is important is that my wife, who is no left wing kook, is raising these questions of me, and that indicates to me that you have got a most serious problem."

And that affected the President quite strongly, and when he called me on April 30, he made that point.

Mr. DASH. This was the day that he announced the resignation of Mr. Haldeman, and Mr. Ehrlichman, and the leaving of the office at his request of Mr. Dean.

Mr. PETERSEN. That is right.

Mr. DASH. I have no further questions, Mr. Chairman.

Senator ERVIN. Mr. Thompson.

Mr. THOMPSON. Thank you, Mr. Chairman.

Mr. Petersen, let me ask you a few more detailed questions about your meeting with the President on April 15. You stated that you told him on that occasion that although you possibly didn't have a criminal case against Haldeman and Ehrlichman, that it could be very embarrassing to the Presidency.

What information did you have on Haldeman and Ehrlichman at that time? What had Dean told the prosecutors about Haldeman's and Ehrlichman's involvement in the Watergate matter?

Mr. PETERSEN. Well, we had not too much on Mr. Ehrlichman at that point. We had Dean's statement that Ehrlichman had told Dean to "deep six" certain information recovered by Dean from Mr. Hunt's office. If you don't mind, I will refer to my notes on this.

Mr. THOMPSON. Yes, sir.

Mr. PETERSEN. Too, that Mr. Dean had said that Ehrlichman through Dean had informed Liddy that Hunt should leave the country. Hunt corroborated this in part in that he testified that Liddy had told him that Liddy's principals wanted Hunt out of the country.

Hunt did not testify with respect to or identify Ehrlichman.

That is the basic information, the only information we had on Ehrlichman at that point.

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EXHIBIT NO. 147

April 16, 1973

John Ehrlichman

We have no other information as of this time except the following items:

1. That Ehrlichman in the period immediately following the breakin told John Dean to "deep six" certain information recovered by Dean from Hunt's office.

2. That Ehrlichman through Dean informed Liddy that Hunt should leave the country. Hunt corroborates this in that he testified before the grand jury that Liddy told him that his, Liddy's, principals, wanted Hunt out of the country. Hunt states that as he was preparing to leave, he was called again by Liddy and informed by Liddy that Liddy's principals had countermanded the order. Hunt further states that notwithstanding he then departed for California.

With respect to Item One you will recall that I told you that Dean had on one occasion indicated to me that he had given certain non-Watergate information recovered from Hunt's office to Pat Gray personally. Sometime during the middle of March, I had occasion to consider this matter and I asked Pat Gray. Gray told me on that occasion that he had received no information from John Dean other than that which was given to the agents.

Today I again raised the matter with Pat Gray and told him specifically what Dean had stated to the prosecutors who are debriefing him. Gray emphatically denied that he had ever received any information from Hunt's office from John Dean. Gray states that all the information and records recovered from Hunt's office were received by agents of the FBI in the normal course of business.

Bob Haldeman

With respect to Bob Haldeman's alleged involvement in the Watergate Dean states that in December of 71 or early parts of January 1972 there were a series of meetings, three in number, with John Mitchell which took place in Mitchell's office.

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- 2 -

Present were Liddy, Magruder, Dean and Mitchell. At each of these meetings the Liddy operation was discussed. The purpose being to obtain information about Democratic presidential contenders. On the first two occasions Mitchell refused to authorize the budget proposals. The first being \$1,000,000 and the second \$500,000. On the third occasion Mitchell approved the reduced budget of \$300,000. The operation was described as "gemstone." Magruder says the budget information was given to Strachan. Magruder also says that information given to Strachan was for delivery to Haldeman. Magruder is not in a position to say that Strachan actually delivered the information.

Dean states that after the second meeting with Mitchell, Liddy and Magruder, he returned to the White House and relayed to Bob Haldeman the nature of the proposals being discussed and stated that we ought not to have any part of them. Dean states Haldeman agreed but apparently no one issued any instructions that this surveillance program was to be discontinued.

Magruder further states that he caused to be delivered to Strachan for transmittal to Haldeman a summary of the intercepted conversation. Again Magruder is not in a position to say that Strachan actually delivered the information to Haldeman. Magruder does say that the nature of the information was such that it was clear that it emanated from intercepted telephone conversations.

#### Strachan

Strachan appeared at the U. S. Attorney's office was informed of his rights and ~~advised~~ was questioned by the prosecutors concerning the Haldeman allegation. Despite considerable fencing Strachan refused to discuss the matter and he was excused by the prosecutors with instructions to obtain legal counsel and return this afternoon.

HP No, no - I don't want to leave that impression.

P Because of Mitchell, huh?

HP He is taking orders from higher authority. The decision is mine but since you are the highest authority he will stand in line if we handle it discreetly.

P I just want him to be sure to understand that as far as the President is concerned everybody in this case is to talk and to tell the truth. You are to tell everybody, and you don't even have to call me on that with anybody. You just say those are your orders.

IP Yes, Sir.

P Ok.

HP Alright, thank you, sir.

32. The President met with Dean on the morning of April 16, 1973, discussed with Dean his resignation, and advised him to be totally truthful in his explanations. The President asked Dean not to lie about the President either.

At this same meeting Dean explained to the President that O'Brien had been the one who relayed Hunt's demand, that Dean had informed Ehrlichman and Ehrlichman advised Dean to inform Mitchell which Dean did. Dean told the President that all along he had tried to make sure that anything he passed to the President didn't cause the President any personal problems.

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- D Yes, I said that. I am incapable of it.
- P Thank God. Don't ever do it John. Tell the truth. That is the thing I have told everybody around here. (expletive omitted) tell the truth! All they do John is compound it.
- P That (characterization omitted) Hiss would be free today if he hadn't lied. If he had said, "Yes I knew Chambers and as a young man I was involved with some Communist activities but I broke it off a number of years ago." And Chambers would have dropped it. If you are going to lie, you go to jail for the lie rather than the crime. So believe me, don't ever lie.
- D The truth always emerges. It always does.  
Also there is a question of right and wrong too.
- D That's right.
- P Whether it is right and whether it is wrong. Perhaps there are some gray areas, but you are right to get it out now.
- D I am sure.
- P On Liddy I wanted to be sure. You recall our conversation. You asked me to do something. I have left it with Petersen now and he said he would handle it. That's the proper place. When Liddy says he cannot talk with peers it must be higher authority, I am not his higher authority. It is Mitchell.
- D Well, he obviously is looking for the ultimate, but I think he is looking for the ultimate. He has the impression that you and Mitchell probably talk on the telephone daily about this.
- P You know we have never talked about this.



D No, I think you are in front right now and you can rest assured everything I do will keep you as far as --

P No, I don't want, understand when I say don't lie. Don't lie about me either.

D No, I won't sir -- you --

P I think I have done the right thing, but I want you to -- if you feel I have done the right thing, the country is entitled to know it. Because we are talking about the Presidency here.

D This thing has changed so dramatically. The whole situation since I gave you the picture

P Since you sat in that chair --

D In that chair over there and gave you what I thought were the circumstances, the potential problems. You have done nothing but try to get to the bottom of this thing, and --

P I think so. Well, I said, "Write a report." But my purpose was you write a report as I said, "I want the Segretti stuff. Put everything else. Was the White House involved? You know, et cetera." How about -- one last thing. Colson. You don't think they are going to get him into something?

D I think he has some technical problems close also. I don't know if he has any. To the best of my knowledge, he had no advance knowledge of this thing.

P Right. I suppose the key there is Hunt. He was so close to Hunt. I just want to know for my own benefit. As I told you last night, I don't want to get out there in front and have someone say "What about Chuck Colson?"

No, no. O'Brien, who was one of the lawyers who was representing the Re-Election Committee, was asked by Hunt to meet with him. He came to me after the meeting and said that Hunt asked that the following message be passed to you. I said, "why me?" He said, "I asked Hunt the same question."

P You, Dean ---or me, the President?

D Passed to me, Dean.

P He had never asked you before?

D No.

P Let me tell you. What did you report to me on though.

It was rather fragmentary, as I recall it. You said Hunt had a problem --

Very fragmentary. I was --

P I said, "Why, John, how much is it going to cost to do this?" That is when I sent you to Camp David and said (expletive removed) "Let's see where this thing comes out."

D That's right.

P And you said it could cost a million dollars.

D I said it conceivably could. I said, "If we don't cut this thing -- "

P How was that handled? Who handled that money?

D Well, let me tell you the rest of what Hunt said. He said, "You tell Dean that I need \$72,000 for my personal expenses, \$50,000 for my legal fees and if I don't get it I am going to have some things to say about the seamy things I did at the White House for John Ehrlichman." Alright I took

that to John Ehrlichman. Ehrlichman said, "Have you talked to Mitchell about it?" I said, "No, I have not." He said, "Well, will you talk to Mitchell?" I said, "Yes I will." I talked to Mitchell. I just passed it along to him. And then we were meeting down here a few days later in Bob's office with Bob and Ehrlichman, and Mitchell and myself, and Ehrlichman said at that time, "Well is that problem with Hunt straightened out?" He said it to me and I said "Well, ask the man who may know: Mitchell." Mitchell said, "I think that problem is solved."

P That's all?

D That's all he said.

P In other words, that was done at the Mitchell level?  
That's right.

P But you had knowledge; Haldeman had knowledge; Ehrlichman had knowledge and I suppose I did that night. That assumes culpability on that, doesn't it?

D I don't think so.

P Why not? I plan to be tough on myself so I can handle the other thing. I must say I did not even give it a thought at the time.

D No one gave it a thought at the time.

P You didn't tell me this about Ehrlichman, for example, when you came in that day.

D I know.

P You simply said, "Hunt needs this money." You were using it as an example of the problems ahead.

D I have tried all along to make sure that anything I passed 793  
to you myself didn't cause you any personal problems.

P John, let me ask you this. Let us suppose if this thing  
breaks and they ask you John Dean, "Now, John, you were the  
President's Counsel. Did you report things to the President?"

D I would refuse to answer any questions unless you waive  
the privilege.

P On this point, I would not waive. I think you should say,  
"I reported to the President. He called me in and asked me  
before, when the event first occurred, and passed to the  
President the message that no White House personnel in the  
course of your investigation were involved." You did do  
that didn't you?

D I did that through Ehrlichman and Haldeman.

P I know you did because I didn't see you until after the  
Election.

D That's right.

P Then you say, after the election when the McCord thing  
broke, the President called you in. I think that is when  
it was, wasn't it?

D No. It was before the McCord thing, because you remember  
you told me after Friday morning that McCord's letter --  
you said, "you predicted this was going to happen." Because  
I had oh, in the week or two weeks --

P Why did I get you in there? What triggered me getting you  
in?

D Well, we just started talking about this thing.

P But I called you and Moore together for a Dean Report,

33. On April 27, Petersen reported to the President that Dean's lawyer was threatening that unless Dean got immunity, they would bring "the President in--not this case but in other things." The President told Petersen to use immunity if he needed to get the facts, but there would be no blackmail. It was not until June 25, 1973, while testifying before the Senate Select Committee that Dean stated the President had prior knowledge of the cover-up.

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33a Transcript, April 27, 1973,  
5:37-5:43 p.m., p. 1261, 1276 ..... 224

Appendix 48. Meeting: The President, Petersen and Ziegler,  
Oval Office, April 27, 1973. (6:04 - 6:48 p.m.)

P Come in. As, like all things, some substance, some falsity.

HP Ah. last Monday Charlie Shaffer was in the office, and a continuation of the negotiations. Charlie Shaffer is the lawyer. Charlie is a very bright, able bombastic fellow. And he was carrying on as if we're making a summation in a case. And he said -- that -- ah he was threatening, "We will bring the President in -- not this case but in other things" What "other things" are we don't know what in the hell they are talking about.

P Don't worry.

HP "In other areas," more specifically is the word he used. That they regarded -- and didn't consider of importance they regarded as the elaboration of his earlier threat. You know, "We'll try this Administration -- Nixon -- what have you, what have you." There's a new conversation by them with Dean since the Sunday we first met (unintelligible) Whatever is said is through Shaffer the lawyer.

P What else do you have besides that?

HP Well, let's see. They did say that at a later date in the proceedings that Dean went to the President, and I assume that's the February or March or whatever that date was. But that's in the course of your trying to find out. Ah, today they were

HP as adversaries. They are decent. They are honorable lawyers, they are a pleasure to deal with.

P All right. We have got the immunity problem resolved. Do it. Dean if you need to, but boy I am telling you -- there ain't going to be any blackmail.

HP Mr. President, I --

P Don't let Dick Kleindienst say it. Dean ain't -- "Hunt is going to blackmail you." Hunt's not going to blackmail any of us.

"It is his word, basically, against yours." It's his word against mine. Now for -- who is going to believe John Dean? We relied on the damned so -- Dean, Dean was the one who told us throughout the summer that nobody in the White House was involved when he, himself apparently, was involved, particularly on the critical angle of subornation of perjury. That's the one that -- I will never, never understand John.

HP I, I can almost quote him. He said, "Henry, God damn it, I need this information. That man has designated me to get all these facts." And he calls me in there and chews my ass off.

P Do you know something?

HP And this was before the trial --





34. On March 1, 1974, a federal grand jury returned an indictment against seven individuals charging all defendants with one count of conspiracy in violation of Title 18 U.S.C. Sec. 371 and charging some of the defendants with additional charges of perjury, making false declarations to a grand jury or court, making false statements to agents of the FBI and obstruction of justice.

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34a Indictment, U. S. District Court for D. C.,  
U. S. v. John N. Mitchell et al., Cr. 74-110,  
March 1, 1974, p. 1-15..... 228

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

JOHN N. MITCHELL, HARRY R.  
HALDEMAN, JOHN D. EHRLICHMAN,  
CHARLES W. COLSON, ROBERT C.  
MARDIAN, KENNETH W. PARKINSON,  
and GORDON STRACHAN,

Defendants.

Criminal No.

Violation of 18 U.S.C.  
§§ 371, 1001, 1503, 1621,  
and 1623 (conspiracy,  
false statements to a  
government agency, ob-  
struction of justice,  
perjury and false  
declarations.)

INDICTMENT

The Grand Jury charges:

Introduction

1. On or about June 17, 1972, Bernard L. Barker, Virgilio R. Gonzalez, Eugenio R. Martinez, James W. McCord, Jr. and Frank L. Sturgis were arrested in the offices of the Democratic National Committee, located in the Water-gate office building, Washington, D. C., while attempting to photograph documents and repair a surreptitious elec- tronic listening device which had previously been placed in those offices unlawfully.

2. At all times material herein, the United States Attorney's Office for the District of Columbia and the Federal Bureau of Investigation were parts of the De- partment of Justice, a department and agency of the United States, and the Central Intelligence Agency was an agency of the United States.

3. Beginning on or about June 17, 1972, and con-

indictment, the Federal Bureau of Investigation and the United States Attorney's Office for the District of Columbia were conducting an investigation, in conjunction with a Grand Jury of the United States District Court for the District of Columbia which had been duly empanelled and sworn on or about June 5, 1972, to determine whether violations of 18 U.S.C. 371, 2511 and 22 D.C. Code 1801(b), and of other statutes of the United States and of the District of Columbia, had been committed in the District of Columbia and elsewhere, and to identify the individual or individuals who had committed, caused the commission of, and conspired to commit such violations.

4. On or about September 15, 1972, in connection with the said investigation, the Grand Jury returned an indictment in Criminal Case No. 1827-72 in the United States District Court for the District of Columbia charging Bernard L. Barker, Virgilio R. Gonzalez, E. Howard Hunt, Jr., G. Gordon Liddy, Eugenio R. Martinez, James W. McCord, Jr., and Frank L. Sturgis with conspiracy, burglary and unlawful endeavor to intercept wire communications.

5. From in or about January 1969, to on or about March 1, 1972, JOHN N. MITCHELL, the DEFENDANT, was Attorney General of the United States. From on or about April 9, 1972, to on or about June 30, 1972, he was Campaign Director of the Committee to Re-Elect the President.

6. At all times material herein up to on or about April 30, 1973, HARRY R. HALDEMAN, the DEFENDANT, was

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7. At all times material herein up to on or about April 30, 1973, JOHN D. EHRLICHMAN, the DEFENDANT, was Assistant for Domestic Affairs to the President of the United States.

8. At all times material herein up to on or about March 10, 1973, CHARLES W. COLSON, the DEFENDANT, was Special Counsel to the President of the United States.

9. At all times material herein, ROBERT C. MARDIAN, the DEFENDANT, was an official of the Committee to Re-Elect the President.

10. From on or about June 21, 1972, and at all times material herein, KENNETH W. PARKINSON, the DEFENDANT, was an attorney representing the Committee to Re-Elect the President.

11. At all times material herein up to in or about November 1972, GORDON STRACHAN, the DEFENDANT, was a Staff Assistant to HARRY R. HALDEMAN at the White House. Thereafter he became General Counsel to the United States Information Agency.

COUNT ONE

12. From on or about June 17, 1972, up to and including the date of the filing of this indictment, in the District of Columbia and elsewhere, JOHN N. MITCHELL, HARRY R. HALDEMAN, JOHN D. EHRLICHMAN, CHARLES W. COLSON, ROBERT C. MARDIAN, KENNETH W. PARKINSON and GORDON STRACHAN, the DEFENDANTS, and other persons to the Grand Jury known and unknown, unlawfully, willfully and knowingly did combine, conspire, confederate and agree together and with each other, to

commit offences against the United States, to wit, to obstruct justice in violation of Title 18, United States Code, Section 1503, to make false statements to a government agency in violation of Title 18, United States Code, Section 1001, to make false declarations in violation of Title 18, United States Code, Section 1623, and to defraud the United States and Agencies and Departments thereof, to wit, the Central Intelligence Agency (CIA), the Federal Bureau of Investigation (FBI), and the Department of Justice, of the Government's right to have the officials of these Departments and Agencies transact their official business honestly and impartially, free from corruption, fraud, improper and undue influence, dishonesty, unlawful impairment and obstruction, all in violation of Title 18, United States Code, Section 371.

13. It was a part of the conspiracy that the conspirators would corruptly influence, obstruct and impede, and corruptly endeavor to influence, obstruct and impede, the due administration of justice in connection with the investigation referred to in paragraph three (3) above and in connection with the trial of Criminal Case No. 1827-72 in the United States District Court for the District of Columbia, for the purpose of concealing and causing to be concealed the identities of the persons who were responsible for, participated in, and had knowledge of (a) the activities which were the subject of the investigation and trial, and (b) other illegal and improper activities.

14. It was further a part of the conspiracy that the conspirators would knowingly make and cause to be made false statements to the FBI and false material statements and declarations under oath in proceedings before and ancillary to the Grand Jury and a Court of the United States, for the purposes stated in paragraph thirteen (13) above.

15. It was further a part of the conspiracy that the conspirators would, by deceit, craft, trickery and dishonest means, defraud the United States by interfering with and obstructing the lawful governmental functions of the CIA, in that the conspirators would induce the CIA to provide financial assistance to persons who were subjects of the investigation referred to in paragraph three (3) above, for the purposes stated in paragraph thirteen (13) above.

16. It was further a part of the conspiracy that the conspirators would, by deceit, craft, trickery and dishonest means, defraud the United States by interfering with and obstructing the lawful governmental functions of the FBI and the Department of Justice, in that the conspirators would obtain and attempt to obtain from the FBI and the Department of Justice information concerning the investigation referred to in paragraph three (3) above, for the purposes stated in paragraph thirteen (13) above.

17. Among the means by which the conspirators would carry out the aforesaid conspiracy were the follow-

(a) The conspirators would direct G. Gordon Liddy to seek the assistance of Richard G. Kleindienst, then Attorney General of the United States, in obtaining the release from the District of Columbia jail of one or more of the persons who had been arrested on June 17, 1972, in the offices of the Democratic National Committee in the Watergate office building in Washington, D. C., and G. Gordon Liddy would seek such assistance from Richard G. Kleindienst.

(b) The conspirators would at various times remove, conceal, alter and destroy, attempt to remove, conceal, alter and destroy, and cause to be removed, concealed, altered and destroyed, documents, papers, records and objects.

(c) The conspirators would plan, solicit, assist and facilitate the giving of false, deceptive, evasive and misleading statements and testimony.

(d) The conspirators would give false, misleading, evasive and deceptive statements and testimony.

(e) The conspirators would covertly raise, acquire, transmit, distribute and pay cash funds to and for the benefit of the defendants in Criminal Case No. 1827-72 in the United States District Court for the District

of Columbia, both prior to and subsequent to the return of the indictment on September 15, 1972.

(f) The conspirators would make and cause to be made offers of leniency, executive clemency and other benefits to E. Howard Hunt, Jr., G. Gordon Liddy, James W. McCord, Jr., and Jeb S. Magruder.

(g) The conspirators would attempt to obtain CIA financial assistance for persons who were subjects of the investigation referred to in paragraph three (3) above.

(h) The conspirators would obtain information from the FBI and the Department of Justice concerning the progress of the investigation referred to in paragraph three (3) above.

18. In furtherance of the conspiracy, and to effect the objects thereof, the following overt acts, among others, were committed in the District of Columbia and elsewhere:

OVERT ACTS

1. On or about June 17, 1972, JOHN N. MITCHELL met with ROBERT C. MARDIAN in or about Beverly Hills, California, and requested MARDIAN to tell G. Gordon Liddy to seek the assistance of Richard G. Kleindienst, then Attorney General of the United States, in obtaining the release of one or more of the persons arrested in



2. On or about June 18, 1972, in the District of Columbia, GORDON STECHAN destroyed documents on the instructions of HARRY R. HALDEMAN.

3. On or about June 19, 1972, JOHN D. EHRLICHMAN met with John W. Dean, III, at the White House in the District of Columbia, at which time EHRLICHMAN directed Dean to tell G. Gordon Liddy that E. Howard Hunt, Jr., should leave the United States.

4. On or about June 19, 1972, CHARLES W. COLSON and JOHN D. EHRLICHMAN met with John W. Dean, III, at the White House in the District of Columbia, at which time EHRLICHMAN directed Dean to take possession of the contents of E. Howard Hunt, Jr.'s safe in the Executive Office Building.

5. On or about June 19, 1972, ROBERT C. MARDIAN and JOHN N. MITCHELL met with Jeb S. Magruder at MITCHELL's apartment in the District of Columbia, at which time MITCHELL suggested that Magruder destroy documents from Magruder's files.

6. On or about June 20, 1972, G. Gordon Liddy met with Fred C. LaRue and ROBERT C. MARDIAN at LaRue's apartment in the District of Columbia, at which time Liddy told LaRue and MARDIAN that certain "commitments" had been made to and for the benefit of Liddy and other persons involved in the Watergate break-in.

7. On or about June 24, 1972, JOHN N. MITCHELL and ROBERT C. MARDIAN met with John W. Dean, III, at 1701 Pennsylvania Avenue in the District of Columbia, at which time MITCHELL and MARDIAN suggested to Dean that the CIA be requested to provide covert funds for the assistance of

8. On or about June 26, 1972, JOHN D. EHRLICHMAN met with John W. Dean, III, at the White House in the District of Columbia, at which time EHRLICHMAN approved a suggestion that Dean ask General Vernon A. Walters, Deputy Director of the CIA, whether the CIA could use covert funds to pay the bail and salaries of the persons involved in the Watergate break-in.

9. On or about June 28, 1972, JOHN D. EHRLICHMAN had a conversation with John W. Dean, III, at the White House in the District of Columbia, during which EHRLICHMAN approved the use of Herbert W. Kalmbach to raise cash funds with which to make covert payments to and for the benefit of the persons involved in the Watergate break-in.

10. On or about July 6, 1972, KENNETH W. PARKINSON had a conversation with William O. Bittman in or about the District of Columbia, during which PARKINSON told Bittman that "Rivers is OK to talk to."

11. On or about July 7, 1972, Anthony Ulasewicz delivered approximately \$25,000 in cash to William O. Bittman at 815 Connecticut Avenue, N. W., in the District of Columbia.

12. In or about mid-July, 1972, JOHN N. MITCHELL and KENNETH W. PARKINSON met with John W. Dean, III, at 1701 Pennsylvania Avenue, N. W. in the District of Columbia, at which time MITCHELL advised Dean to obtain FBI reports of the investigation into the Watergate break-in for PARKINSON and others.

13. On or about July 17, 1972, Anthony Ulasewicz delivered approximately \$40,000 in cash to Dorothy Hunt

14. On or about July 17, 1972, ANTHONY ULASEWICZ delivered approximately \$8,000 in cash to G. Gordon Liddy at Washington National Airport.

15. On or about July 21, 1972, ROBERT C. MARDIAN met with John W. Dean, III, at the White House in the District of Columbia, at which time MARDIAN examined FBI reports of the investigation concerning the Watergate break-in.

16. On or about July 26, 1972, JOHN D. EHRLICHMAN met with Herbert W. Kalmbach at the White House in the District of Columbia, at which time EHRLICHMAN told Kalmbach that Kalmbach had to raise funds with which to make payments to and for the benefit of the persons involved in the Watergate break-in, and that it was necessary to keep such fund raising and payments secret.

17. In or about late July or early August, 1972, Anthony Ulasewicz made a delivery of approximately \$43,000 in cash at Washington National Airport.

18. In or about late July or early August, 1972, Anthony Ulasewicz made a delivery of approximately \$18,000 in cash at Washington National Airport.

19. On or about August 29, 1972, CHARLES W. COLSON had a conversation with John W. Dean, III, during which Dean advised COLSON not to send a memorandum to the authorities investigating the Watergate break-in.

20. On or about September 19, 1972, Anthony Ulasewicz delivered approximately \$53,500 in cash to Dorothy Hunt at Washington National Airport.

21. On or about October 15, 1972, in the District of Columbia, Fred C. LaRue arranged for the delivery of

22. On or about November 13, 1972, in the District of Columbia, E. Howard Hunt, Jr., had a telephone conversation with CHARLES W. COLSON, during which Hunt discussed with COLSON the need to make additional payments to and for the benefit of the defendants in Criminal Case No. 1827-72 in the United States District Court for the District of Columbia.

23. In or about mid-November, 1972, CHARLES W. COLSON met with John W. Dean, III, at the White House in the District of Columbia, at which time COLSON gave Dean a tape recording of a telephone conversation between COLSON and E. Howard Hunt, Jr.

24. On or about November 15, 1972, John W. Dean, III, met with JOHN D. EHRLICHMAN and HARRY R. HALDEMAN at Camp David, Maryland, at which time Dean played for EHRLICHMAN and HALDEMAN a tape recording of a telephone conversation between CHARLES W. COLSON and E. Howard Hunt, Jr.

25. On or about November 15, 1972, John W. Dean, III, met with JOHN N. MITCHELL in New York City, at which time Dean played for MITCHELL a tape recording of a telephone conversation between CHARLES W. COLSON and E. Howard Hunt, Jr.

26. On or about December 1, 1972, KENNETH W. PARKINSON met with John W. Dean, III, at the White House in the District of Columbia, at which time PARKINSON gave Dean a list of anticipated expenses of the defendants during the trial of Criminal Case No. 1827-72 in the United States District Court for the District of Columbia.

27. In or about early December, 1972, HARRY R. HALDEMAN had a telephone conversation with John W. Dean, III, during which HALDEMAN approved the use of a portion of a cash fund of approximately \$350,000, then being held under HALDEMAN's control, to make additional payments to and for the benefit of the defendants in Criminal Case No. 1827-72 in the United States District Court for the District of Columbia.

28. In or about early December, 1972, GORDON STRACHAN met with Fred C. LaRue at LaRue's apartment in the District of Columbia, at which time STRACHAN delivered approximately \$50,000 in cash to LaRue.

29. In or about early December, 1972, in the District of Columbia, Fred C. LaRue arranged for the delivery of approximately \$40,000 in cash to William O. Bittman.

30. On or about January 3, 1973, CHARLES W. COLSON met with JOHN D. EHRLICHMAN and John W. Dean, III, at the White House in the District of Columbia, at which time COLSON, EHRLICHMAN and Dean discussed the need to make assurances to E. Howard Hunt, Jr. concerning the length of time E. Howard Hunt, Jr. would have to spend in jail if he were convicted in Criminal Case No. 1827-72 in the United States District Court for the District of Columbia.

31. In or about early January, 1973, HARRY R. HALDEMAN had a conversation with John W. Dean, III, during which HALDEMAN approved the use of the balance of the cash fund referred to in Overt Act No. 27 to make additional payments to and for the benefit of the defendants in Criminal Case No. 1827-72 in the United States District

32. In or about early January, 1973, CONDON STRACHAN met with Fred C. LaRue at LaRue's apartment in the District of Columbia, at which time STRACHAN delivered approximately \$300,000 in cash to LaRue.

33. In or about early January, 1973, JOHN R. MITCHELL had a telephone conversation with John W. Dean, III, during which MITCHELL asked Dean to have John C. Caulfield give an assurance of executive clemency to James W. McCord, Jr.

34. In or about mid-January, 1973, in the District of Columbia, Fred C. LaRue arranged for the delivery of approximately \$20,000 in cash to a representative of G. Gordon Liddy.

35. On or about February 11, 1973, in Rancho La Costa, California, JOHN D. EHRLICHMAN and HARRY R. HALDEMAN met with John W. Dean, III, and discussed the need to raise money with which to make additional payments to and for the benefit of the defendants in Criminal Case No. 1827-72 in the United States District Court for the District of Columbia.

36. In or about late February, 1973, in the District of Columbia, Fred C. LaRue arranged for the delivery of approximately \$25,000 in cash to William O. Bittman.

37. In or about late February, 1973, in the District of Columbia, Fred C. LaRue arranged for the delivery of approximately \$35,000 in cash to William C. Bittman.

38. On or about March 16, 1973, E. Howard Hunt, Jr., met with Paul O'Brien at 815 Connecticut Avenue, N. W. in the District of Columbia, at which time Hunt

39. On or about March 19, 1973, JOHN D. EHRLICHMAN had a conversation with John W. Dean, III, at the White House in the District of Columbia, during which EHRLICHMAN told Dean to inform JOHN N. MITCHELL about the fact that E. Howard Hunt, Jr. had asked for approximately \$120,000.

40. On or about March 21, 1973, from approximately 11:15 a.m. to approximately noon, HARRY R. HALDEMAN and John W. Dean, III, attended a meeting at the White House in the District of Columbia, at which time there was a discussion about the fact that E. Howard Hunt, Jr. had asked for approximately \$120,000.

41. On or about March 21, 1973, at approximately 12:30 p.m., HARRY R. HALDEMAN had a telephone conversation with JOHN N. MITCHELL.

42. On or about the early afternoon of March 21, 1973, JOHN N. MITCHELL had a telephone conversation with Fred C. LaRue during which MITCHELL authorized LaRue to make a payment of approximately \$75,000 to and for the benefit of E. Howard Hunt, Jr.

43. On or about the evening of March 21, 1973, in the District of Columbia, Fred C. LaRue arranged for the delivery of approximately \$75,000 in cash to William O. Bittman.

44. On or about March 22, 1973, JOHN D. EHRLICHMAN, HARRY R. HALDEMAN, and John W. Dean, III, met with JOHN N. MITCHELL at the White House in the District of Columbia, at which time MITCHELL assured EHRLICHMAN that E. Howard

45. On or about March 22, 1973, JOHN D. EHRLICHMAN had a conversation with Egil Krogh at the White House in the District of Columbia, at which time EHRLICHMAN assured Krogh that EHRLICHMAN did not believe that E. Howard Hunt, Jr. would reveal certain matters.

(Title 18, United States Code, Section 371.)

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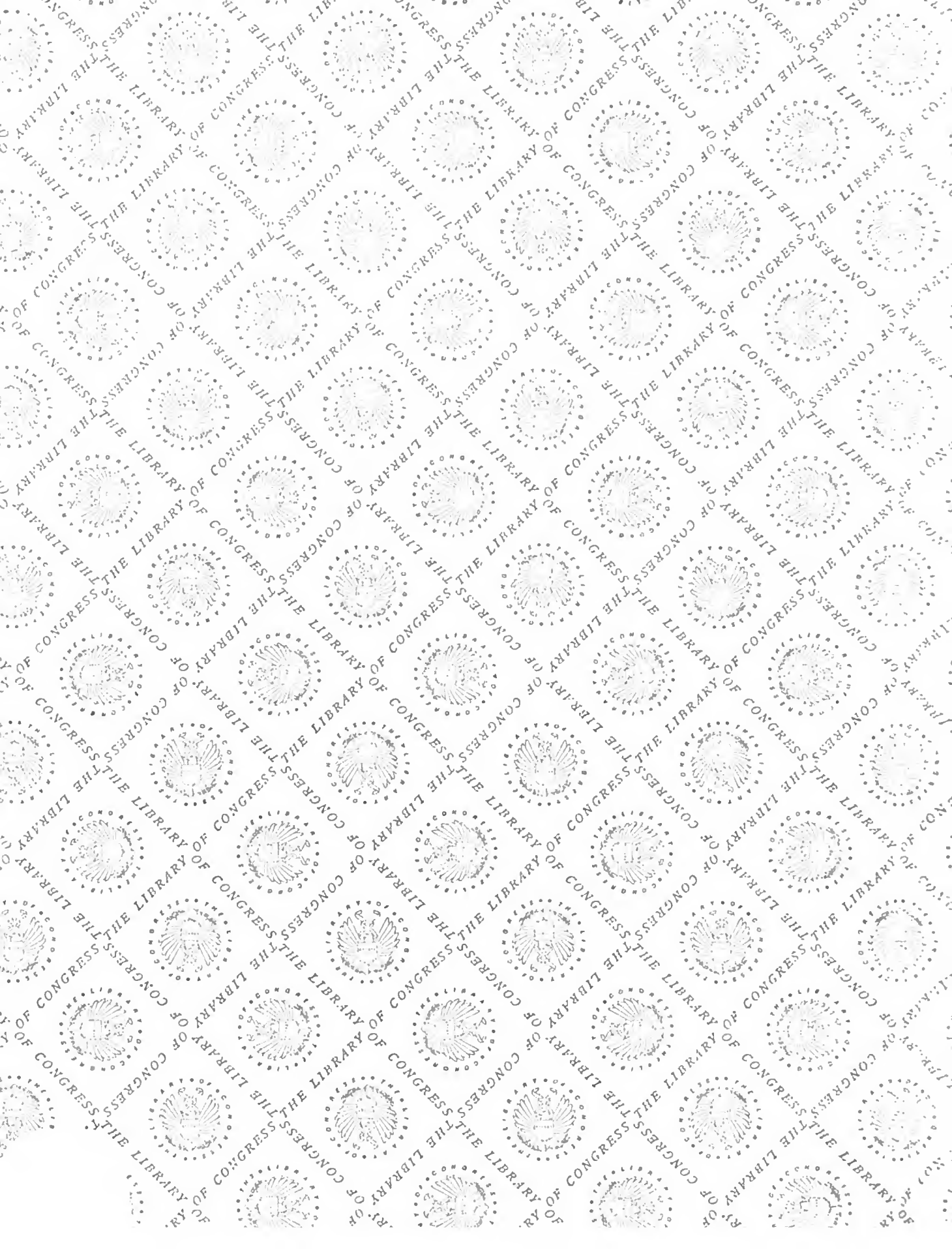
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